



Minnesota Pollution Control Agency

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Solid Waste Management Facility Permit

Permit: SW-525

Malcolm Avenue Recycling & Transfer

Action: PER005

In accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. Rules chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the permittee(s) listed on the following page to construct and operate the Malcolm Avenue Recycling & Transfer, SW-525 under the conditions set forth in this permit.

The facility consists of 6 acres located in: Township 29 , Range 23 W, Section 30, Hennepin County, in the MPCA Metro Region. The facility includes the following waste activity area(s):

Solid Waste Transfer Area

TR001

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

Permit Issuance Date: 11/10/2010

Permit Expiration Date: 11/10/2015

Permit Modified Date:

Minnesota Pollution Control Agency

Paula J. Connell, P.E.

Supervisor, Solid Waste Permitting Unit

St. Paul Office

Resource Management & Assistance Division

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Solid Waste Management Facility Permit

Malcolm Avenue Recycling & Transfer

Permit: SW-525

Action: PER005

The following permittee(s) are authorized to construct and operate the Malcolm Avenue Recycling & Transfer, SW-525 under the conditions set forth in this permit.

Permittee Activity Owner:

Carl Bolander & Sons Inc

Address:

PO Box 7216

St. Paul, MN 551077216

Permittee Land Owner:

Carl Bolander & Sons Inc

Address:

PO Box 7216

St. Paul, MN 551077216

Permittee Operator:

SKB Environmental Inc

Address:

PO Box 7216

St. Paul, MN 551077216

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1. TOTAL FACILITY

1.1 General

1.1.1 Definitions

- 1.1.2 "Commissioner" means the commissioner of the Minnesota Pollution Control Agency, or any individual who is authorized to review and approve submittals on behalf of the commissioner.
- 1.1.3 "Facility" has the meaning given in Minn. R. 7035.0300, subp. 37.
- 1.1.4 "Permittee" means the landowner, facility owner(s), and facility operator(s).
- 1.1.5 "Waste Activity Area" means the land, structures, monitoring devices, and other appurtenances and improvements on the land associated with a waste activity.
- 1.1.6 "Waste Activity" means the storage, processing, transfer, utilization, treatment, or disposal of solid waste and waste by-products.

1.1.7 Waste Activities

- 1.1.8 At this facility, the permittees are authorized to conduct the waste activities described in the Waste Capacity Table of this permit. This includes the transfer of up to 156,000 tons per year (an average of 500 tons per day) of mixed municipal solid waste (MSW), which includes source separated organic material, and select nonhazardous industrial solid waste as outlined in the approved industrial solid waste management plan. This permit also authorizes the transfer of up to 156,000 tons per year (average of 500 tons per day) of construction and demolition debris (C&D). This permit authorizes the permittees to accept up to 61,000 tons per year (average of 250 tons per day) of yard waste. The daily permitted capacity of the facility is 1,250 tons per day of any combination of MSW, C&D, and/or yard waste.
- 1.1.9 In addition, the permittees are also authorized to accept recyclables, white goods, electronics, mattresses, and tires to be stored and transferred to available markets, as described in the approved plans.

1.1.10 Permit Compliance

- 1.1.11 The permittees shall keep the status of the permit current and up-to-date.
- 1.1.12 The permittees shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the agency, in accordance with all state and federal statutes, rules and regulations, and in compliance with the conditions of the permit.

1.1.13 Facility Location

- 1.1.14 The facility authorized by this permit consists of a six (6) acre site located in Section 30, Township 29 North, Range 23 West, city of Minneapolis, Hennepin County, Minnesota.

The site address is: 620 Malcolm Avenue Southeast
Minneapolis, MN 55414

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TOTAL FACILITY

General

1.1.15 Facility Description

- 1.1.16 The facility authorized by this permit is a solid waste transfer station. This permit authorizes the permittees to transfer mixed MSW, which includes source separated organics; industrial waste as outlined in the approved industrial solid waste management plan; C&D debris; yard waste; recyclables; white goods; electronics; mattresses; and tires. All wastes accepted at the facility shall be managed in accordance with this permit, approved plans, Minnesota Rules, and Minnesota Statutes. The permittees are required to transfer all wastes to a facility that is permitted to manage that type of waste by all the appropriate regulatory authorities.
- 1.1.17 The facility occupies a six acre site in Minneapolis, Minnesota. The site contains a 45,000 square foot steel building. The operations primarily consist of weighing, dumping, and sorting of waste on the building's tipping floor. The waste will be screened for unacceptable wastes by the on-site operator. All acceptable wastes will be transferred to transport vehicles; where the waste will be transferred for further management or disposal, as appropriate, at another waste management facility.
- 1.1.18 NRG Processing Solutions, LLC owns the equipment used to operate the Facility. NRG Processing Solutions, LLC has retained Specialized Environmental Technologies, Inc. (SET) to perform the actual operation of the Facility. SET employees the Facility personnel that perform the day-to-day operation of the Facility.

1.1.19 Facility History

- 1.1.20 In 1993, SKB Environmental, Inc. began operating this site as a permit-by-rule yard waste compost facility. In 1997, SKB Environmental, Inc. permitted this facility as a solid waste transfer station. The facility was permitted to accept C&D debris. In 2000, NRG Processing Solutions, LLC was added as a co-operator to this permit.
- 1.1.21 In 2005, a permit application was submitted to the Minnesota Pollution Control Agency (MPCA). The 2005 permit application added MSW to the list of acceptable wastes. In addition, the permit application asked for an increase in the permitted capacities for all types of acceptable wastes. The MPCA also completed a mandatory Environmental Assessment Worksheet (EAW) for the addition of MSW to the permit for this facility. In 2009, NRG was removed as co-operator, with SKB handling all operations of the facility.

1.1.22 Required Notices

- 1.1.23 The permittees must notify the MPCA before transferring ownership or operation of a solid waste management facility during its operating life or during postclosure care period in accordance with Minn. R. 7035.2535, subp. 2.

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1.2 Permit Documents

1.2.1 Approved Plans

1.2.2 The approved plans and engineering documents are incorporated into this permit by reference. In addition, the approved versions of all pending submittals required by this permit are incorporated into this permit. In all cases where the permit and the plans or submittal differ, the requirements of the permit shall govern over a condition in the plan or submittal. The approval by the commissioner of the plans and specifications shall not release the permittees from any present or subsequent requirements of statutes, rules, regulations, or ordinances.

1.2.3 Permit Application

1.2.4 The permit application approved by this permit is signed and dated June 28, 2005, and is titled, "Permit Modification for the Malcolm Avenue Recycling and Transfer Station." A response submitted by SKB Environmental, Inc. dated November 8, 2005, is included as part of the permit application. The extended permit application is signed and dated September 3, 2010.

1.2.5 Engineering Documents

1.2.6 The engineering documents approved by this permit include:

1. Engineering Report, dated June 2005 as amended November 2005;
2. Operations and Maintenance Manual, dated June 2005 as amended November 2005;
3. Contingency Action Plan, dated June 2005 as amended November 2005;
4. Closure, dated June 2005 as amended November 2005;
5. Cost Estimates, dated June 2005 as amended November 2005;
6. Industrial Solid Waste Management Plan, dated June 2005 as amended November 2005; and
7. Engineering Plans/Drawings, dated June 2005.

1.2.7 Revised Plans

1.2.8 The permittees shall submit any revised plans for approval by the commissioner. The permittees shall obtain approval, from the commissioner, on all revised engineering plans prior to construction of the affected portion of the facility.

1.3 Design and Construction Criteria

1.3.1 Location Standards

1.3.2 The permittees may not locate, establish, or construct a solid waste management facility in areas designated in Minn. R. 7035.2555.

1.3.3 Groundwater Quality, Surface Water Quality, Air Quality, and Soil Protection

1.3.4 The permittees must construct the facility to prevent pollution of groundwater and surface water, minimize the contamination of soils from solid waste, and maintain the facility in conformance with MPCA air pollution control rules in accordance with Minn. R. 7035.2565. The permittees must design any proposed future expansions of the facility in accordance with this rule.

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Design and Construction Criteria

1.3.5 Storage Standards

- 1.3.6 The permittees must construct the waste activity area where solid waste is stored in accordance with Minn. R. 7035.2855 except as provided in, subp. 1 and Minn. R. 7035.2525, subp. 2.

1.3.7 Stormwater Management System

- 1.3.8 The permittees must construct the stormwater management system for the facility with Best Management Practices to manage stormwater discharge in accordance with the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit for the discharge of stormwater associated with an industrial activity and/or a construction activity. The issuance of this permit does not release the permittees from the obligation to obtain an NPDES/SDS permit.

1.3.9 Construction Plan

- 1.3.10 The permittees must submit a construction plan to the commissioner for approval prior to construction if the construction plan proposes any major revisions to the approved design.

1.3.11 Construction Notification

- 1.3.12 Unless the commissioner orders otherwise, the permittees shall notify appropriate MPCA staff at least ten (10) working days in advance of construction of the facility or any component thereof.

1.3.13 Construction Certification

- 1.3.14 The permittees must submit a construction certification for approval by the commissioner in accordance with Minn. R. 7035.2610. A facility waste activity or any new design feature must not be placed into operation until the construction certification has been approved by the commissioner.

1.3.15 Alterations and Additions

- 1.3.16 The permittees shall not make any major alterations or additions to the facility that would materially alter the manner in which waste is managed without first obtaining the written consent of the commissioner.

1.4 Operating and Maintenance Criteria

1.4.1 Trained / Certified Operator

- 1.4.2 An operator must be on-duty during all times that the facility is open. Access to the facility must be closed whenever an operator is not on-duty.

1.4.3 Personnel Training

- 1.4.4 The permittees must establish and maintain a personnel training program consisting of classroom instruction and on-the-job training. The program must address the requirements identified in Minn. R. 7035.2545, subp. 3, and must include the specific training necessary to perform the tasks associated with each solid waste management area within the facility. The permittees must maintain a record of all personnel training and submit the dates of training in the annual report.

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Operating and Maintenance Criteria

- 1.4.5 As required in Minn. R. 7035.2545, subp. 4; all facility personnel must complete an annual training update. An outline of the annual training update shall be included with the facility's annual report as required in the Required Actions and Submittals Table(s) of this permit.
- 1.4.6 Operations Manual**
- 1.4.7 The permittees must prepare and maintain an operations and maintenance manual for the facility. The manual must include operations and maintenance criteria that are specific to each solid waste management area within the facility.**
- 1.4.8 Security**
 - 1.4.9 The permittees must prevent unauthorized entry onto the facility in accordance with Minn. R. 7035.2535, subp. 3. In addition, the permittees shall post a sign at the entrance of the facility and each waste activity area showing the facility name, MPCA permit number, hours of operation, the acceptable waste, and any other relevant information.
- 1.4.10 Roads**
 - 1.4.11 The permittees must construct and maintain all-weather approach and access roads to all waste activity areas within the facility.
- 1.4.12 Storage of Solid Waste**
 - 1.4.13 The permittees must provide satisfactory storage for all solid waste accumulated at the facility in accordance with Minn. R. 7035.0700 and Minn. R. 7035.2855.
 - 1.4.14 Except for brush, pallets, clean concrete, leaves, or other wastes approved by the commissioner; no waste can be stored outdoors unless it is in a covered container to prevent rainwater from entering the container and contacting the waste. In addition, the containers must be managed in a fashion that prevents any liquid from leaking out of the containers.
- 1.4.15 Nuisance Conditions**
 - 1.4.16 The permittees must keep the facility grounds and immediately adjacent property free of litter stemming from the facility operations. The facility grounds and adjacent property shall be inspected and cleared of all litter at least once per week.
 - 1.4.17 The permittees must manage the facility to be in compliance with Minn. R. 7011.0150 to prevent particulate matter from becoming airborne.
 - 1.4.18 The permittees must manage all free liquids that have come in contact with solid waste so that the liquids are not discharged as storm water.
 - 1.4.19 The permittees must provide effective measures to control flies, rodents and other insects or vermin as necessary.
- 1.4.20 Collection and Transportation of Solid Waste**
 - 1.4.21 The permittees shall provide for the proper collection and transportation of solid waste in accordance with Minn. R. 7035.0800.

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Operating and Maintenance Criteria

1.4.22 Acceptable Wastes

1.4.23 This permit authorizes the permittees to accept up to 156,000 tons per year (500 tons per day) of Mixed MSW, which includes source separated organic materials, select industrial wastes as outlined in the approved industrial solid waste management plan, and mattresses sent to landfills or refuse derived fuel facilities. The permittees may accept up to 156,000 tons per year (500 tons per day) of C&D debris. The permittees may accept up to 61,000 tons per year (250 tons per day) of yard waste. In addition the permittees may also accept tires; white goods; electronics; mattresses for recycling; and recyclables.

1.4.24 Salvageable and Recyclable Materials

1.4.25 All salvageable and recyclable materials must either be containerized or confined to the unloading area or other designated processing and storage area.

1.4.26 Unacceptable Wastes

1.4.27 The permittees must not accept specific wastes for treatment storage, processing, or disposal in accordance with Minn. R. 7035.2535, subp. 1.

1.4.28 In the event that unacceptable wastes are discovered at the facility, the approved contingency action plan is to be followed by the permittees.

1.4.29 Unacceptable waste must be segregated from the load. The permittees must maintain an area where unacceptable materials may be safely stored prior to removal from the facility.

1.4.30 Industrial Solid Waste Management Plan

1.4.31 The permittees must manage industrial solid waste for each waste activity as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 5.

1.4.32 Household Hazardous Waste Management Plan

1.4.33 The permittees shall not accept household hazardous waste at this facility.

1.4.34 Stormwater Management System

1.4.35 The permittee must operate and maintain the stormwater management system for the facility with Best Management Practices to manage stormwater discharges in accordance with the NPDES/SDS Permit for the discharge of stormwater associated with an industrial activity and/or a construction activity.

1.4.36 Groundwater Quality, Surface Water Quality, Air Quality, and Soil Protection

1.4.37 The permittees must operate and maintain the facility to prevent pollution of groundwater and surface water, minimize the contamination of soils from solid waste, and maintain the facility in conformance with MPCA air pollution control rules in accordance with Minn. R. 7035.2565.

1.4.38 Emergency Equipment

1.4.39 The permittees must provide and maintain adequate emergency equipment at the facility to control accidental fires, and make arrangements with the local fire protection agency to immediately acquire their services when needed. The permittee must also provide adequate communications equipment for emergency purposes.

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Operating and Maintenance Criteria

1.4.40 Operating Record

1.4.41 The permittees must keep a written operating record at the facility in accordance with Minn. R. 7035.2575.

1.4.42 Self Inspections

1.4.43 The permittees must inspect the facility in accordance with the schedule and items approved by the commissioner as defined by Minn. R. 7035.2535, subp. 4. The permittees must record inspections in an inspection log or summary and must keep these records for at least five years.

1.4.44 Emergency Procedures Manual

1.4.45 The permittees must maintain a copy of the approved emergency procedures manual at the facility for facility personnel to use in time of emergency.

1.4.46 Contingency Action Plan

1.4.47 The permittees must maintain a copy of the approved contingency action plan at the facility.

1.4.48 Closure Plan

1.4.49 The permittees must maintain a copy of the approved facility closure plan, and all revisions to the plan, at the facility until closure is completed and certified in accordance with Minn. R. 7035.2635.

1.4.50 Postclosure Plan

1.4.51 The permittees must maintain a copy of the approved postclosure care plan, and all subsequent amendments, until the postclosure care period begins. During the postclosure care period, the plan must be kept by the contact person identified in Minn. R. 7035.2645, subp. 2, item C.

1.4.52 Leachate Management

1.4.53 Any liquid that contacts any waste shall be managed as leachate. The transfer station shall be operated and maintained to prevent leachate from running out of the building or storage containers.

1.4.54 In the event that any leachate runs out of the building or storage containers, the permittees shall follow the spill protocol in its approved contingency action plan.

1.5 Reporting Criteria

1.5.1 Annual Facility Report

1.5.2 The permittees shall submit an annual facility report for the preceding calendar year in accordance with Minn. R. 7035.2585. The report must include summary evaluation reports and specific annual reporting requirements. The permittees shall submit the report to the commissioner according to the schedule in the Required Actions and Submittals Table(s) of this permit.

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1.6 Contingency Action Criteria

1.6.1 Contingency Action Plan

1.6.2 The permittee must address all facility waste activities as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2615.

1.6.3 Contingency Action Procedures

1.6.4 The permittees must implement the actions necessary to comply with the contingency action requirements in accordance with Minn. R. 7035.2615.

1.6.5 Emergency Preparedness and Prevention

1.6.6 The permittees must maintain and operate a facility to minimize the possibility of a fire, explosion, or any release to air, land, or water of pollutants that threaten human health or the environment in accordance with Minn. R. 7035.2595.

1.6.7 Emergency Procedures

1.6.8 The permittees must take all reasonable containment measures during an emergency and submit a written report to the commissioner in accordance with Minn. R. 7035.2605.

1.6.9 Hazard Notification

1.6.10 The permittees shall notify the MPCA commissioner within 48 hours of any release, explosion, or fire at the facility in accordance with Minn. R. 7035.2595, subp. 6.

1.7 Closure Criteria

1.7.1 Facility Closure

1.7.2 The permittees must close each waste activity, or the entire facility as appropriate, as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2625.

1.7.3 Closure Procedures

1.7.4 The permittees must perform closure for each waste activity as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2635.

1.7.5 The permittees must complete closure activities for the waste activity area in accordance with the closure plan within 180 days following the beginning of closure as specified in the closure procedures above.

1.8 Financial Criteria

1.8.1 Cost Estimates

1.8.2 The permittees must keep the current cost estimates for each waste activity at the facility during the operating life in accordance with Minn. R. 7035.2685, subp. 2.

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1.9 General Conditions

1.9.1 Release

1.9.2 The MPCA's issuance of a permit does not release the permittees from any liability, penalty, or duty imposed by Minnesota or federal statutes, or regulations, or local ordinances including, but not limited to, those promulgated pursuant to Minn. Stat. chs. 115, 115A, 116, 400 and 473. This permit shall be permissive only and shall not be construed as estopping or limiting any claims against the permittees, its agents, contractors, or assigns, nor as estopping or limiting any legal claims of the state against the permittees, its agents, contractors, or assigns for damages to state property, or for any violation of the terms of this permit.

1.9.3 Future Changes

1.9.4 The MPCA's issuance of a permit does not prevent the future adoption by the MPCA of pollution control rules, standards, or enforcement orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or enforcement orders against the permittees.

1.9.5 Rights and Privilege

1.9.6 The permit does not convey a property right or an exclusive privilege.

1.9.7 Enforcement

1.9.8 The MPCA's issuance of a permit does not obligate the MPCA to enforce local laws, rules or plans beyond that authorized by Minnesota Statutes.

1.9.9 Performance

1.9.10 The permittees shall perform the actions or conduct the activity authorized by the permit in accordance with the submittals and specifications approved by the MPCA and in compliance with the conditions of the permit.

1.9.11 Operation and Maintenance

1.9.12 The permittees shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittees to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The permittees shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.

1.9.13 Honesty

1.9.14 The permittees may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the MPCA or the commissioner by the permit. The permittees shall immediately upon discovery report to the commissioner an error or omission in these records, reports, submittals or other documents.

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TOTAL FACILITY

General Conditions

1.9.15 Timely Information Submittal

1.9.16 The permittees shall, when requested by the commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.

1.9.17 Access

1.9.18 When authorized by Minn. Stat. 115.04, 115B.17, subd. 4 and 116.091, and upon presentation of proper credentials, the MPCA, or an authorized employee or agent of the MPCA, shall be allowed by the permittees to enter at reasonable times upon the property of the permittees to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.

1.9.19 Discovery of Noncompliance

1.9.20 If the permittees discovers, through any means, including notification by the MPCA, that noncompliance with a condition of the permit has occurred, the permittees shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.

1.9.21 Notification of Noncompliance

1.9.22 If the permittees discover that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the permittees shall, within 24 hours of the discovery of the noncompliance, orally notify the commissioner. Within five (5) days of the discovery of the noncompliance, the permittees shall submit to the commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

1.9.23 Reporting of Noncompliance

1.9.24 The permittees shall report noncompliance with the permit not reported in the Notification of Noncompliance subheading above by submitting the information listed in Notification of Noncompliance within 30 days of the discovery of the noncompliance.

1.9.25 Alterations

1.9.26 The permittees shall give advance notice to the commissioner as soon as possible of planned physical alterations or additions to the permitted facility or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or condition of the permit.

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General Conditions

1.9.27 Transferability

1.9.28 The permit is not transferable to any person without the express written approval of the MPCA after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit.

1.9.29 Responsibility for Damage

1.9.30 The permit authorizes the permittees to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the permittees in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. 3.736.

1.9.31 Modifying or Revoking Permit

1.9.32 The commissioner may commence proceedings to modify or revoke this permit during its terms if cause exists under Minn. R. 7001.0170 to 7001.0180.

1.9.33 Severability

1.9.34 The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall not be affected.

1.9.35 Extensions

1.9.36 The permittees may request an extension of the dates set forth in this permit including the submittal and monitoring dates. The request must include justification for requesting the extension of the date. Based on the justification, the commissioner may grant an extension.

1.9.37 Term of Permit

1.9.38 This permit is valid until the expiration date unless revoked or modified by the MPCA pursuant to Minn. R. 7001.0170 to 7001.0180. To allow for adequate MPCA review time and to avoid possible termination of the permit at the time the permit expires, an application for reissuance of the permit must be submitted no later than 180 calendar days before the expiration date of the permit.

1.9.39 Retention of Records

1.9.40 The permittees must maintain records of all ground water monitoring data and ground water surface elevations for the active life of the facility and each waste activity and, for disposal activities, for the postclosure care period. The permittees must also maintain an operating record in accordance with Minn. R. 7035.2575 until closure of each waste activity at the facility.

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TOTAL FACILITY

General Conditions

1.9.41 As-built Plans

- 1.9.42 The permittees may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has received a letter and as-built plans signed by the owner or operator and by an engineer registered in Minnesota certifying that the facility or modified portion of the facility has been constructed in compliance with the conditions of the permit.

1.9.43 Construction Certification

- 1.9.44 The permittees may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has inspected the new facility or modified portion of the facility and has provided the owner or operator with a letter stating that the certification submitted is complete and approved.

1.9.45 Financial Assurance

- 1.9.46 The permittees may not start treatment, storage, or disposal of solid waste in a new solid waste management facility or in a modified portion of an existing solid waste management facility until the commissioner has approved the financial assurance amount and instrument to be used for the facility in accordance with Minn. R. 7035.2665 to 7035.2805.
- 1.9.47 At the time of permit issuance, the MPCA commissioner, at its discretion, is not requiring the permittees to obtain financial assurance for this Facility.

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2. SOLID WASTE TRANSFER AREA TR 001

2.1 Design and Construction Criteria

2.1.1 Construction Requirements

2.1.2 The permittees must construct the solid waste transfer area in accordance with the approved plans and specifications.

2.1.3 Design Requirements

2.1.4 The permittees must design any proposed future expansions or modifications of the solid waste transfer area in accordance with the design requirements outlined in Minn. R. 7035.2870, subp. 4.

2.2 Operating and Maintenance Criteria

2.2.1 Delivery of Solid Waste

2.2.2 In accordance with Minn. R. 7035.2870, subp. 2 solid waste transported from a solid waste transfer facility must be delivered to a facility that has been permitted by the appropriate regulatory agency.

2.2.3 Facility Operations

2.2.4 The permittees must operate the transfer area in accordance with the approved operating and maintenance manual, and in accordance with Minn. R. 7035.2870, subp. 5.

2.2.5 The permittees must minimize odors, dust, noise and litter at the facility.

2.2.6 The permittees must keep roads, gates, and tipping areas clear of obstructions at all times.

2.2.7 The permittees must confine all solid waste within the tipping area or other designated processing or storage area.

2.2.8 Except for brush, pallets, clean concrete, leaves, or other wastes approved by the commissioner; no waste accepted at the facility can be placed off the tipping floor unless it is in an enclosed container.

2.2.9 Facility Maintenance

2.2.10 The permittees must maintain the facility and all equipment in good working condition.

2.2.11 The permittees must clear the tipping and storage areas of waste, and clean the areas at least once every seven days.

2.2.12 Industrial Solid Waste Management

2.2.13 The permittees must manage industrial solid waste as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 5.

2.2.14 Storage Requirements

2.2.15 The permittees must transfer or store all mixed municipal solid waste at the facility in (1) a completely enclosed structure, (2) containers constructed of impervious materials and designed to prevent leakage, or (3) in a designated solid waste storage area meeting the storage standards of Minn. R. 7035.2855.

2.2.16 The permittees may store MSW, industrial solid waste, and C&D debris at the facility for up to three (3) days provided all storage activities occur within the transfer station building.

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Operating and Maintenance Criteria

- 2.2.17 The permittees must manage all putrescible waste remaining at the facility at the end of the working day. The remaining putrescible waste must be: (1) properly disposed of, (2) stored in an enclosed structure, or (3) stored in containers constructed of impervious materials and designed to prevent leakage and to prevent precipitation, insects, and other vectors from coming in contact with the waste.
- 2.2.18 The permittees may store yard waste for up to seven (7) days.
- 2.2.19 The permittees may store no more than 5,000 cubic yards of MSW, 5,000 cubic yards of C&D debris, and 4,375 cubic yards of yard waste at the facility. The storage shall be in accordance with all other provisions of the permit.
- 2.2.20 The facility must include an area where unacceptable materials may be safely stored prior to removal.

2.2.21 Salvageable and Recyclable Materials

- 2.2.22 All salvageable and recyclable materials must either be containerized or confined to the unloading area or other designated processing and storage area.

2.3 Specific Conditions

2.3.1 Major Appliances

- 2.3.2 The permittees must provide a separate storage area for the transfer of major appliances, as defined in Minn. Stat. 115A.03, such that damage to the units is minimized during handling. The permittees must ensure that the proper removal of hazardous components and refrigerant gases is performed by a certified appliance processor. The permittees must transfer all appliances off site at least annually, with the number of appliances recycled and the destination included in the annual report.

2.3.3 Tires

- 2.3.4 The permittees must identify a designated waste tire storage area. The permittees may store a maximum of 500 passenger tire equivalents (PTE) in this area.
- 2.3.5 The permittees must maintain all tire storage areas in a manner that keeps the piles free of vegetation, mosquitoes and rodents.
- 2.3.6 The permittees must divert surface water drainage around and away from the waste tire storage area.
- 2.3.7 The permittees must not conduct any operations involving the use of open flames, blow torches, or highly flammable substances within 50 feet of a waste tire storage area.
- 2.3.8 The permittees must arrange for the transportation and disposal of the waste tires by a licensed tire hauler. The permittees shall include the number of tires transferred, the licensed hauler's MPCA transporter identification number, and the tire disposal destination in the facility's annual report.

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Specific Conditions

2.3.9 Electronics

- 2.3.10 The permittees must provide a separate storage area for the storage and transfer of electronics. As used in this permit, "electronics" includes but is not limited to televisions, computer monitors, computers, microwaves, and other devices that have wiring, circuitry, circuit boards, batteries, and other similar components. The permittees shall store and manage electronics indoors and in a manner that prevents damage and the release of hazardous components. The permittees must transport electronics stored at the facility off site for recycling or disposal at an appropriate facility at least annually and the permittees shall note the volume and the destination in the annual report.

Required Actions and Submittals Table

Report Date: 08/15/2012

Facility: Malcolm Avenue Recycling & Transfer

Permit SW-525

Action: PER005

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Subject Item I.D. Total Facility

Required Actions/Submittals

Frequency/Due Date	Action or Submittal	Requirement
13-DEC-19	Submit Permit Application	To allow for adequate MPCA review time and to avoid possible termination of the permit at the time the permit expires, an application for reissuance of the permit must be submitted to the Commissioner no later than 180 calendar days before the expiration date of the permit.
Annually	Submit Annual Facility Report	An annual facility report for the preceding calendar year must be submitted to the Commissioner by February 1 of each year. The report must include the information identified in Minn. R. 7035.2585 and include summary evaluation reports and specific annual reporting requirements for each waste activity.

Waste Capacity Table

Report Date: 08/15/2012

Facility: Malcolm Avenue Recycling & Transfer

Permit SW-525

Action: PER005

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WA ID	Waste Activity Type	Status	Permitted Area	Units	Permitted Capacity	Units	Design Capacity	Units	Comments
TR001	Solid Waste Transfer Area	Open	6.00	acres	373,000.00	tons/year	373,000.00	tons/year	The permitted capacity is broken down into the following: 156,000 tons per year of MSW, source separated organics, select industrial waste, and mattresses sent to landfills or refuse derived fuel facilities; 156,000 tons per year of construction and demolition (C&D) debris; and 61,000 tons per year of yard waste.
					1,250.00	tons/day	1,250.00	tons/day	