

Solid Waste Facility Permit

SW-422-001

Permittee: Marshall County Demolition Landfill

Facility name: Marshall County Demolition Landfill
27641 US Highway 75 North
Warren, Minnesota 56762
Marshall County

Issuance date: [Month day, year]

Expiration date: [insert date ten years from issuance date - format Month day, year]

In accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the Permittee listed on the following page to construct and operate the facility under the conditions set forth in this permit.

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.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility. This permit expires at midnight on the expiration date identified above.

Signature: *[Type e-Signature]*

for the Minnesota Pollution Control Agency

This document has been electronically signed.

Elizabeth Gawrys
Supervisor
Solid Waste Permitting Unit
Resource Management & Assistance Division

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1. List of Permittees

The following Permittee(s) are authorized to construct and operate the Marshall County Demolition Landfill, SW-422-001, under the conditions set forth in this permit.

Permittee activity owner:

Marshall County
208 East Colvin Avenue, Suite 5
Warren, Minnesota 56762-1693

Permittee land owner:

Marshall County
208 East Colvin Avenue, Suite 5
Warren, Minnesota 56762-1693

Permittee operator:

Marshall County
208 East Colvin Avenue, Suite 5
Warren, Minnesota 56762-1693

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2. Permitted facility description

The Marshall County Demolition Landfill (Facility) is located at:

27641 US Highway 75 Northwest
Warren, Minnesota 56762
Marshall County

On August 21, 1992, the Minnesota Pollution Control Agency (MPCA) issued permit SW-422 to Marshall County for the construction and operation of a demolition debris land disposal facility. The original design capacity of the facility was 48,000 cubic yards. On May 7, 1998, the MPCA modified and reissued permit SW-422 for an increased design capacity of 81,100 cubic yards. On June 6, 2003, the MPCA reissued permit SW-422. On March 7, 2005, the MPCA modified and reissued permit SW-422 to acknowledge a vertical expansion of the landfill. Eight additional cells will be constructed on top of the existing landfill footprint for a new design capacity of 145,300 cubic yards. The 2005 permit authorized development of the first three cells of Phase V for a total permitted capacity of 104,350 cubic yards. The 2010 permit authorized the development of the site through Phase V, Cell 4 for a total permitted capacity of 113,350 cubic yards.

The demolition debris landfill occupies about 6.5 acres in the southwest corner of the site. The base of the landfill was developed in four phases each consisting of five cells. All four initial phases have been completed and temporary final cover has been placed on Phases I, II and III. A vertical expansion (Phase V) is being developed with eight cells on top of the existing Phases I - IV with the active cell operation starting over Phase IV. This permit authorizes the development of the site through the total permitted capacity of 145,300 cubic yards. The demolition landfill is designated as Waste Activity DD 001 in this permit.

Marshall County accepts appliances (RE 001) and electronics (RE 002) for temporary storage at the demolition landfill prior to recycling. The requirements for these activities are in section RE 00# in this permit.

The facility lacks a characterization of the geology below 16 feet below ground surface. No groundwater flow or characterization data have been collected at the site. The site will be planning and installing a groundwater monitoring system during the permit term.

3. Permit requirements

SW-422	Marshall County Demolition Landfill
3.1.1	General.
3.1.2	"ACM" means Asbestos Containing Material. [40 CFR 61.141]
3.1.3	"Airspace" means the volume for filling with waste, considering all solid waste, daily, intermediate, intermittent and final cover materials, and design restrictions. [Minn. R. 7001.0150, subp. 2]
3.1.4	"Class I Demolition Landfill" means an unlined demolition landfill that can only accept "Acceptable C & D Wastes," requires stringent screening of the waste that enters the facility, and may require a groundwater monitoring system based upon facility location, soil types and proximity to human and environmental receptors. A liner is not required at this facility. [Minn. R. 7001.0150, subp. 2]
3.1.5	"Commissioner" means the Commissioner of the Minnesota Pollution Control Agency (MPCA), or any individual who is authorized to review and approve submittals on behalf of the Commissioner. [Minn. R. 7035.0300, subp. 16]
3.1.6	"Design Capacity" means the maximum estimated potential airspace to be occupied by a land disposal facility, including all cover systems. "Design capacity" is used only for planning purposes and is distinct from permitted capacity. "Design capacity" is an estimate dependent on the existing landholdings of the Permittee, existing regulations that affect development and design (including required buffer areas, stormwater management requirements, and slopes), engineering designs, and site developmental plans. It includes all areas that have been completed, all active areas, and all proposed areas based on the largest design footprint shown on the plan sheets. It is the volume that, upon final closure of the facility, would be occupied by waste (along with all associated materials including cover) measured from the base of the fill to the top of the proposed final cover. [Minn. R. 7035.0300, subp. 32]
3.1.7	"Facility" has the meaning given in Minn. R. 7035.0300, subp. 37. [Minn. R. 7035.0300, subp. 37]
3.1.8	"Permitted Capacity" means the total amount or acceptance rate allowed for storage, composting, processing, transfer or disposal at the facility as found in the Waste Capacity Table of this Permit. For land disposal facilities, "permitted capacity" as stated in the Waste Capacity Table includes the volume already filled by previous disposal activities, and airspace volume authorized to be used during the ten-year term of the current permit, including cover systems. [Minn. R. 7001.0150, subp. 2]
3.1.9	"Permittee" means the landowner, facility owner(s), and facility operator(s). [Minn. R. 7001.3060]
3.1.10	"Solid waste storage" means the holding of solid waste for more than 48 hours in quantities equal to or greater than ten cubic yards. [Minn. R. 7035.0300, subp. 104]
3.1.11	"Waste Activity" means the storage, processing, transfer, utilization, treatment, or disposal of solid waste and waste by-products. [Minn. R. 7001.0150, subp. 2]
3.1.12	"Waste Activity Area" means the land, structures, monitoring devices, and other appurtenances and improvements on the land associated with a waste activity. [Minn. R. 7001.0150, subp. 2]
3.1.13	The facility waste activities authorized by this permit are limited to those activities described in the Waste Capacity Table of this permit. [Minn. R. 7001.0150, subp. 2]
3.1.14	The Permittee shall keep the status of the permit current and up-to-date. [Minn. R. 7001.0150, subp. 2]
3.1.15	The Permittee 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. [Minn. R. 7001.0150, subp. 2]
3.1.16	The facility authorized by this permit occupies 20 acres and is located in Section 2, T155N, R48W, Warrenton Township, Marshall, Minnesota. The facility is located about five miles north of the city of Warren, Minnesota on Highway 75. The physical address is: 27641 US Highway 75 Northwest Warren, Minnesota 56762. [Minn. R. 7001.0150, subp. 2]
3.1.17	The Permittee shall 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. [Minn. R. 7035.2535, subp. 2]

3.1.18	Permit Documents.
3.1.19	The approved plans and engineering documents are incorporated into this permit. In addition, once approved by the Commissioner, the Permittee shall comply with all submittals that are submitted in accordance with the terms of this permit. In all cases where the permit and the plans or submittals 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 Permittee from any present or subsequent requirements of statutes, rules, regulations, or ordinances. [Minn. R. 7001.0150, subp. 3(E), Minn. R. 7035.2610]
3.1.20	The permit application approved by this permit is signed and dated December 2019 (revised in June 2020). [Minn. R. 7001.0010]
3.1.21	<p>The engineering documents approved by this permit include, but are not limited to:</p> <ol style="list-style-type: none">1. Engineering Report, dated June 19922. Operations and Maintenance Manual, dated June 20203. Contingency Action Plan, dated June 20204. Closure Plan, dated June 20205. Postclosure Plan, dated June 20206. Cost Estimates, dated June 20207. Industrial Solid Waste Management Plan, dated June 20208. Engineering Plans/Drawings, dated December 2019 <p>Also included in the approved documents are:</p> <ol style="list-style-type: none">A. MPCA Technical Review Letter dated December 2, 2019B. Permittee's Response and Revised Permit Application received June 2, 2020C. MPCA Review of Response dated June 4, 2020D. Permittee's Final Revised Permit Application dated July 2020. [Minn. R. 7001.0150, subp. 3(H)]
3.1.22	<p>The hydrogeologic evaluation documents approved by this permit include, but are not limited to:</p> <ol style="list-style-type: none">1. Hydrogeologic Evaluation Form for Demolition Landfills, dated October 21, 20092. Technical Memorandum regarding Hydrogeologic Characterization, Wenck Associates, Inc., dated October 7, 2009. [Minn. R. 7001.0150, subp. 3(H), Minn. R. 7001.3275]
3.1.23	Any revised plans shall be submitted for approval by the Commissioner. The Permittee shall obtain approval from the Commissioner on all revised engineering plans prior to construction of the affected portion of the facility. [Minn. R. 7001.0150, subp. 3(M), Minn. R. 7035.2610]
3.1.24	Design And Construction Criteria.
3.1.25	The Permittee may not locate, establish, or construct a solid waste management facility in areas designated in Minn. R. 7035.2555. [Minn. R. 7035.2555]
3.1.26	The Permittee shall 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 Permittee shall design any proposed future expansions of the facility in accordance with this rule. [Minn. R. 7035.2565]
3.1.27	The Permittee shall 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. [Minn. R. 7035.2855]
3.1.28	The Permittee shall 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 Permittee from the obligation to obtain an NPDES/SDS permit. [Minn. R. 7001.1090]
3.1.29	The Permittee shall submit a construction plan to the Commissioner for approval prior to construction if the construction plan proposes any major revisions to the approved design. [Minn. R. 7001.0150, subp. 3(H), Minn. R. 7035.2610]
3.1.30	The Permittee shall notify appropriate MPCA staff at least ten (10) working days in advance of the construction of the facility or any component thereof unless the Commissioner orders otherwise. [Minn. R. 7001.0150, subp. 3(M)]

3.1.31	The Permittee shall 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 shall not be placed into operation until the construction certification has been approved by the Commissioner. [Minn. R. 7035.2610]
3.1.32	The Permittee 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. [Minn. R. 7001.0150, subp. 3(M)]
3.1.33	Operation And Maintenance Criteria.
3.1.34	The Permittee shall ensure that the required number of operators, trained or certified under Minn. R. 7035.2545 and Minn. R. 7048.0100 to 7048.1300, are present and on duty at all times that the facility is open for the purpose of receiving waste. [Minn. R. 7035.2545, Minn. R. 7048.0100-1300]
3.1.35	The Permittee shall prevent unauthorized entry onto the facility in accordance with Minn. R. 7035.2535, subp. 3. In addition, the Permittee 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. [Minn. R. 7035.2535, subp. 3]
3.1.36	The Permittee shall establish and maintain a personnel training program consisting of classroom instruction and on-the-job training. The program shall address the requirements identified in Minn. R. 7035.2545, subp. 3, and shall include the specific training necessary to perform the tasks associated with each solid waste management area within the facility. The Permittee shall maintain a record of all personnel training and submit the dates of training in the annual report. [Minn. R. 7035.2545, subp. 3]
3.1.37	The Permittee shall prepare and maintain an operations and maintenance manual for the facility. The manual shall include operations and maintenance criteria that are specific to each solid waste management area within the facility. [Minn. R. 7001.3300, subp. P]
3.1.38	The Permittee shall construct and maintain all-weather approach and access roads to all waste activity areas within the facility. [Minn. R. 7001.0150, subp. 3(E)]
3.1.39	The Permittee shall not accept for disposal, any source-separated recyclable materials unless the commissioner has determined that no other person is willing to accept the recyclable material. [Minn. Stat. 115A.95]
3.1.40	Storage Of Solid Waste.
3.1.41	The Permittee shall provide satisfactory storage for all solid waste accumulated at the facility in accordance with Minn. R. 7035.0700 and Minn. R. 7035.2855. [Minn. R. 7035.0700, Minn. R. 7035.2855]
3.1.42	The Permittee shall 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. [Minn. R. 7001.0150, subp. 3(O)]
3.1.43	The Permittee shall manage the facility to be in compliance with Minn. R. 7011.0150 to prevent particulate matter from becoming airborne. [Minn. R. 7011.0150]
3.1.44	The Permittee shall manage all free liquids that have come in contact with solid waste so that the liquids are not discharged as stormwater. [Minn. R. 7001.0150, subp. 2]
3.1.45	The Permittee shall provide effective measures to control flies, rodents and other insects or vermin as necessary. [Minn. R. 7001.0150, subp. 2]
3.1.46	The Permittee shall provide for the proper collection and transportation of solid waste in accordance with Minn. R. 7035.0800. [Minn. R. 7035.0800]
3.1.47	The Permittee shall not accept the wastes identified in Minn. R. 7035.2535, subp. 1 for treatment, storage, processing, or disposal. [Minn. R. 7035.2535, subp. 1]
3.1.48	The Permittee shall manage industrial solid waste for each waste activity as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 5. The Permittee shall include the information required by Minn. R. 7035.2575, subp. 2, items B and C in the annual report for each industrial waste accepted at the facility. [Minn. R. 7035.2535, subp. 5]
3.1.49	The Permittee shall manage household hazardous waste as specified in the approved plan in accordance with Minn. R. 7035.2535, subp. 6. [Minn. R. 7035.2535, subp. 6]

3.1.50	The Permittee shall operate and maintain the stormwater management system for the facility with Best Management Practices to manage stormwater discharges 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. [Minn. R. 7001.1090]
3.1.51	The Permittee shall 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. [Minn. R. 7035.2565]
3.1.52	The Permittee shall 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 shall also provide adequate communications equipment for emergency purposes. [Minn. R. 7035.2595, subp. 2&4]
3.1.53	The Permittee shall keep a written operating record at the facility in accordance with Minn. R. 7035.2575. [Minn. R. 7035.2575, subp. 2]
3.1.54	The Permittee shall inspect the facility in accordance with the schedule and items approved by the Commissioner as defined by Minn. R. 7035.2535, subp. 4. The Permittee shall record inspections in an inspection log or summary and shall keep these records for at least five years. [Minn. R. 7035.2535, subp. 4]
3.1.55	The Permittee shall maintain a copy of the approved emergency procedures manual at the facility for facility personnel to use in time of emergency. [Minn. R. 7035.2595, subp. 5]
3.1.56	The Permittee shall maintain a copy of the approved contingency action plan at the facility. [Minn. R. 7035.2615]
3.1.57	The Permittee shall 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. 7035.2625. [Minn. R. 7035.2625, subp. 3]
3.1.58	The Permittee shall 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 shall be kept by the contact person identified in Minn. R. 7035.2645, subp. 2, item C. [Minn. R. 7035.2645, subp. 2]
3.1.59	Monitoring Criteria.
3.1.60	The Permittee shall design, construct, operate, and maintain the disposal area to achieve compliance with the analytical limits set forth in the Sampling and Monitoring Requirements of this permit. These limits are based upon the Minnesota Department of Health, Health Risk Limits (HRL), Health-Based Values (HBV), Risk Assessment Advice (RAA), and US EPA Maximum Contaminant Level (MCL) and replace the standards listed in Minn. R. 7035.2815, subp. 4, item F, as provided for in Minn. R. 7035.2815, subp. 4, item H. [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 4(F & H)]
3.1.61	The Permittee shall establish compliance boundaries as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2815, subp. 4, items A through E. [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 4(A-E)]
3.1.62	The Permittee shall maintain the adequacy of the water monitoring system to reliably detect pollution and to comply with this permit. [Minn. R. 7035.2815, subp. 10]
3.1.63	The Permittee shall determine the initial water quality in new monitoring points and monitoring systems, and perform background monitoring in accordance with Minn. R. 7035.2815, subp. 14, item E. [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 14(E)]
3.1.64	The Permittee shall develop and keep current a written monitoring protocol for the disposal area according to Minn. R. 7035.2815, subp. 14, item G and shall ensure the protocol is followed during sampling and sample analysis. [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 14(G)]
3.1.65	The Permittee shall conduct groundwater quality sampling and analysis as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2815 subp. 14, and shall include the monitoring stations identified in this Permit. The Permittee shall conduct the sampling according to the schedule shown in the Sampling and Monitoring Requirements of this Permit. [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 10]

3.1.66	When technically feasible the analytic reporting limit must be less than or equal to the intervention limit for each parameter specified in this permit. A discussion must be provided in the annual report for parameters where the reporting limit is greater than the intervention limit. The MPCA defines what is technically feasible for various parameters in MPCA document: Laboratory Achievable Reporting Limits (w-sw3-58.xls). [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 14]
3.1.67	The Permittee shall take the actions listed in Minn. R. 7035.2815, subp. 4, item G. if an intervention limit established in this permit is exceeded. [Minn. R. 7001.0150, subp. 2, Minn. R. 7035.2815, subp. 4(G)]
3.1.68	Reporting Criteria.
3.1.69	The Permittee shall submit an annual facility report for the preceding calendar year in accordance with Minn. R. 7035.2585 in a format prescribed by the MPCA. The annual facility report shall include waste types, volumes, management methods, and final destinations. When required of a waste activity, the report shall include summary evaluation reports and specific annual reporting requirements and monitoring results. The Permittee shall submit the report to the Commissioner according to the schedule in the Submittal/Action requirements section of this Permit. [Minn. R. 7035.2585]
3.1.70	The Permittee shall submit an electronic copy of all monitoring data including groundwater, leachate, landfill gas, and field data for each monitoring event. Electronic data shall be submitted in the format specified by the MPCA. The schedule for submitting electronic monitoring data shall follow the schedule outlined in the Submittal/Action Requirements section of this permit. Continuous monitoring data for leachate head and interior methane monitoring does not need to be submitted electronically. However, a summary of the data must be included in the annual facility report. [Minn. R. 7001.0150]
3.1.71	The Permittee shall submit a complete copy of all monitoring results via email in PDF format to solidwastereports.pca@state.mn.us. The facility name and permit number must be in the subject line of the email. The monitoring results must be accompanied by information sufficient to establish the reliability, precision, and accuracy of the reported values, including but is not limited to the analytical report, chain of custody forms, filed notes, data analysis, and recommendation for monitoring adjustments. [Minn. R. 7001.0150]
3.1.72	The Permittee shall collect location and elevation data for all monitoring points. Location data shall be submitted in an approved coordinates system. Elevation data for monitoring wells shall include the elevation of the riser pipe and ground surface. The depth of wells from the riser pipe shall also be identified. If existing data is being reported the surveying method and datum used to collect this information shall be identified. [Minn. R. 7001.0150]
3.1.73	Contingency Action Criteria.
3.1.74	The Permittee shall address all facility waste activities as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2615. [Minn. R. 7035.2615]
3.1.75	If a fire occurs in the waste deposit area, the Permittee shall immediately implement its contingency action plan to extinguish the fire. [Minn. R. 7001.0150, subp. 3(E)]
3.1.76	Within 24 hours of discovery of the fire, the Permittee shall provide notice to the MPCA that a fire has occurred and that the contingency action plan has been implemented. If the Permittee has not extinguished the fire within two weeks of notice, the Permittee shall again notify the MPCA and shall provide the name of the professional engineer that the Permittee has hired to develop a revised plan for further fire fighting efforts. The Permittee shall submit the revised plan to the MPCA for review and approval within 15 days of the notice to the MPCA that a revised plan is being prepared. To be approved, the revised plan shall identify the action that will be taken to extinguish the fire, including sources for materials and equipment and a timeline for implementation, and shall be signed by a registered professional engineer. The Permittee shall implement the revised plan upon approval by the MPCA. [Minn. R. 7001.0150, subp. 3(E)]
3.1.77	The Permittee shall implement the actions necessary to comply with the contingency action requirements in accordance with Minn. R. 7035.2615. [Minn. R. 7035.2615, subp. 2]
3.1.78	The Permittee shall notify the Minnesota Duty Officer immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state. The Permittee shall recover as rapidly and as thoroughly as possible such substance or material and take immediate action to minimize or abate pollution of waters of the state. The MN Duty Office can be reached at 800-422-0798. [Minn. Stat. 115.061]

3.1.79	The Permittee shall maintain and operate the 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. [Minn. R. 7035.2595, subp. 1]
3.1.80	The Permittee shall take all reasonable containment measures during an emergency and submit a written report to the Commissioner in accordance with Minn. R. 7035.2605. [Minn. R. 7035.2605, subp. 1]
3.1.81	Closure Criteria.
3.1.82	The Permittee shall 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. [Minn. R. 7035.2625]
3.1.83	The Permittee shall perform closure for each waste activity as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2635. [Minn. R. 7035.2635]
3.1.84	The Permittee shall 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. [Minn. R. 7001.0150, subp. 3(E)]
3.1.85	Postclosure Criteria.
3.1.86	The post-closure care period shall be a minimum of twenty years starting on the date the Commissioner approves the facility's final closure certification report. [Minn. Stat. 116.07, subd. 4h]
3.1.87	The Permittee shall comply with postclosure requirements as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2645. [Minn. R. 7035.2645]
3.1.88	The Permittee shall perform postclosure care for each waste activity as specified in the approved plans and specifications, and in accordance with Minn. R. 7035.2655, subp. 1. [Minn. R. 7035.2655, subp. 1]
3.1.89	The Permittee shall comply with postclosure use of property requirements in accordance with Minn. R. 7035.2655, subp. 2. [Minn. R. 7035.2655, subp. 2]
3.1.90	Prior to the end of the postclosure care period the Permittee must submit to the MPCA for review and approval a Post Closure Care Summary Report signed by a professional engineer licensed with the State of Minnesota. [Minn. R. 7035.2645]
3.1.91	Financial Criteria.
3.1.92	The Permittee shall keep the current cost estimates for contingency action, closure and postclosure care for each waste activity at the facility during the operating life in accordance with Minn. R. 7035.2685, subp. 2. [Minn. R. 7035.2685]
3.1.93	The Permittee shall establish and maintain financial assurance in accordance with Minn. R. 7035.2665 to 7035.2805. [Minn. R. 7035.2665-2805]
3.1.94	General Conditions.
3.1.95	The MPCA's issuance of a permit does not release the Permittee 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 Permittee, its agents, contractors, or assigns, nor as estopping or limiting any legal claims of the state against the Permittee, its agents, contractors, or assigns for damages to state property, or for any violation of the terms of this permit. [Minn. R. 7001.0150, subp. 3(A)]
3.1.96	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 Permittee. [Minn. R. 7001.0150, subp. 3(B)]
3.1.97	The permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, subp. 3(C)]
3.1.98	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. [Minn. R. 7001.0150, subp. 3(D)]
3.1.99	The Permittee 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. [Minn. R. 7001.0150, subp. 3(E)]

3.1.100	The Permittee 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 Permittee 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 Permittee 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. [Minn. R. 7001.0150, subp. 3(F)]
3.1.101	The Permittee 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 Permittee shall immediately upon discovery report to the Commissioner an error or omission in these records, reports, submittals or other documents. [Minn. R. 7001.0150, subp. 3(G)]
3.1.102	The Permittee 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. [Minn. R. 7001.0150, subp. 3(H)]
3.1.103	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 Permittee to enter at reasonable times upon the property of the Permittee 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. [Minn. R. 7001.0150, subp. 3(I)]
3.1.104	If the Permittee discovers, through any means, including notification by the MPCA, that noncompliance with a condition of the permit has occurred, the Permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance. [Minn. R. 7001.0150, subp. 3(J)]
3.1.105	If the Permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee 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 Permittee 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. [Minn. R. 7001.0150, subp. 3(K)]
3.1.106	The Permittee 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. [Minn. R. 7001.0150, subp. 3(L)]
3.1.107	The Permittee 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. [Minn. R. 7001.0150, subp. 3(M)]
3.1.108	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. [Minn. R. 7001.0150, subp. 3 (N)]
3.1.109	The permit authorizes the Permittee 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 Permittee 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. [Minn. R. 7001.0150, subp. 3(O)]
3.1.110	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. [Minn. R. 7001.0170-0180]

3.1.111	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. [Minn. R. 7035.3200]
3.1.112	The Permittee may request an extension of the dates set forth in this permit including the submittal and monitoring dates. The request shall include justification for requesting the extension of the date. Based on the justification, the Commissioner may grant an extension. [Minn. R. 7001.0190, subp. 3(B)]
3.1.113	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 shall be submitted no later than 180 calendar days before the expiration date of the permit. [Minn. R. 7001.0150, subp. 1, Minn. R. 7001.3500, subp. 1]
3.1.114	The Permittee shall maintain records of all groundwater monitoring data and groundwater surface elevations for the active life of the facility and each waste activity and, for disposal activities, for the postclosure care period. The Permittee shall also maintain an operating record in accordance with Minn. R. 7035.2575 until closure of each waste activity at the facility. [Minn. R. 7001.3500, subp. 3(A)]
3.1.115	The Permittee 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. [Minn. R. 7001.3500, subp. 3(B)]
3.1.116	The Permittee 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. [Minn. R. 7001.3500, subp. 3(B (2))]
3.1.117	The Permittee 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. [Minn. R. 7001.3500, subp. 3 (B (3))]
DD 001	Demolition Debris Disposal
3.2.1	Design And Construction Criteria.
3.2.2	The Permittee shall not locate any proposed future expansion of the facility disposal area in an area with active karst features including sinkholes, disappearing streams, and caves; or where the topography, geology, or soil is inadequate for protection of ground or surface water. [Minn. R. 7035.2825, subp. 7]
3.2.3	The Permittee shall construct the phases, cells and water monitoring system of the demolition landfill in accordance with the approved plans and specifications. [Minn. R. 7001.0150, subp. 3]
3.2.4	The Permittee shall design any proposed future expansions or modifications of the demolition debris disposal area in accordance with the design requirements outlined in Minn. R. 7035.2825, subp. 8. [Minn. R. 7035.2825, subp. 8]
3.2.5	The Permittee shall design any proposed future expansions of the facility to include, at a minimum, the cover system requirements found in Minn. R. 7035.2825, subp. 11. [Minn. R. 7035.2825, subp. 11]
3.2.6	The Permittee shall design and install a water monitoring system in compliance with Minn. R. 7035.2815, subp. 10. [Minn. R. 7035.2815, subp. 10]
3.2.7	Operation And Maintenance Criteria.
3.2.8	In accordance with the definitions identified in this permit, this landfill is a Class I Demolition Landfill. This landfill may only accept "Acceptable C & D Wastes" as listed below. [Minn. R. 7001.0150, subp. 3]
3.2.9	The Permittee shall accept only the wastes listed as "Acceptable C & D Wastes" for disposal. Acceptable C & D Wastes include: Bituminous concrete (includes asphalt pavement and blacktop); concrete (including rerod); stone; tree stumps; root balls; uncontaminated soil; masonry (bricks, stucco and plaster); untreated wood (including painted, stained and/or varnished dimensional lumber, pallets, particle board, plywood, fencing and dock materials); siding (includes vinyl, masonite, untreated wood, aluminum and steel); wall coverings; electrical wiring and components; roofing materials; duct work; wall board and sheetrock; built-in cabinetry; plumbing fixtures;

	affixed carpet and padding; ceramic items; conduit and pipe; glass (limited to window and door glass from buildings and structures); insulation (includes fiberglass, mineral wool, cellulose, polystyrene and newspaper); plastic building parts; sheathing; molded fiberglass; rubber; drain tile; recognizable portions of burned structures; metal; ceiling tile; wood and vinyl flooring; and asbestos containing materials (ACM) pursuant to an approved ISWMP. [Minn. R. 7001.0150, subp. 3]
3.2.10	The following non-acceptable or prohibited wastes are materials that are chemically or biologically active and which have a high potential to leach chemical constituents or to generate gas. These wastes include, but are not limited to the following: Adhesives (including applicators, containers, tubes); agricultural chemicals or containers; animal carcasses, parts or rendering and slaughterhouse wastes; appliances (including white goods and brown goods); ashes; wastes that could spontaneously combust or ignite other wastes due to high temperatures; batteries; caulking (including applicators, containers, tubes); recyclable cardboard; rolls of carpeting and padding; chemical containers; epoxy (including applicators, containers, tubes); fluorescent tubes and ballasts; food waste; glue (including applicators, containers, tubes); hazardous waste; high-intensity discharge lamps; household refuse or garbage; infectious waste; liquids (any type); machinery or engine parts; medical waste; mercury containing waste (thermostats, switches); paints, thinners, solvents, varnishes (including applicators, brushes, cans, containers, filters, dust collectors); lead based paint that is not adhered to the substrate; PCB containing waste; pesticide containers; petroleum products, containers or filters (including oil, grease, fuel); radioactive waste; resins - epoxy or fiberglass (including applicators, containers, tubes); sandblasting waste; sealants (including applicators, containers, tubes); septic tank pumpings; tar (including applicators, containers, tubes); tires; treated lumber (including decking, railroad ties, etc.); vehicles; and yard waste. This list is NOT all-inclusive. [Minn. R. 7001.0150, subp. 3]
3.2.11	The Permittee shall maintain a minimum separation distance of 50 feet between the property line and the area where waste has been placed within the landfill. [Minn. R. 7035.2825, subp. 9(H)]
3.2.12	The Permittee shall maintain a minimum separation distance of 5 feet between the base grade of each landfill cell, as identified in the approved plans, and the seasonal high water table. [Minn. R. 7001.0150, subp. 3]
3.2.13	The Permittee shall maintain a run-on control system to prevent flow onto the waste activity area, and a run-off control system to collect and control at least the water volume resulting from a 24 hour, 10-year storm. [Minn. R. 7035.2825, subp. 9(G)]
3.2.14	The Permittee shall develop the site in phases in accordance with the approved plans. Each phase shall provide for filling in a manner to achieve final waste elevations as rapidly as possible. The phases shall be designed and constructed to minimize moisture infiltration into the fill areas while maintaining stable slopes and appropriate operating conditions. The Permittee shall consider seasonal phases in order to accommodate the differences between wet and dry and warm and cold weather operations. The Permittee shall bring each phase to the final waste contours as shown on the approved phase development plans and close the phase according to the approved facility closure plan. [Minn. R. 7035.2825, subp. 8(B)]
3.2.15	The Permittee shall stake each fill phase of the landfill to establish the horizontal and vertical limits of the permitted area. [Minn. R. 7035.2825, subp. 9(E)]
3.2.16	The Permittee shall establish a Waste Screening Area (WSA) at the landfill, and shall separate the WSA from the active working face. The WSA shall be located within 50 feet of the active working face, and shall be delineated by physical barriers such as logs, chains or cones. [Minn. R. 7001.0150, subp. 3]
3.2.17	The Permittee shall pre-inspect each load before it enters the waste disposal area. Loads containing large quantities of unacceptable materials should be diverted to another waste facility authorized to accept those materials. Loads that are allowed to enter the waste disposal area shall be unloaded in the established WSA for the removal of unacceptable material prior to the placement of the waste in the working face for spreading and compaction. Unacceptable materials shall be stored appropriately and transferred to an appropriate disposal facility at least once per week. [Minn. R. 7001.0150, subp. 3]
3.2.18	The Permittee shall not place more waste in the WSA than can be managed in one working day. [Minn. R. 7001.0150, subp. 3]
3.2.19	The use of a WSA is not required if the Permittee knows that the waste in the load has been screened for unacceptable materials at the point of generation or transfer. Direct disposal into the working face of the landfill is at the risk of the Permittee. Unacceptable material found in the active working face will be considered to have been "accepted" by the facility. [Minn. R. 7001.0150, subp. 3]

3.2.20	The Permittee shall limit the disposal of wastes to as small an area as practical and shall utilize appropriate equipment to confine wind-blown material within the area. [Minn. R. 7001.0150, subp. 3]
3.2.21	The Permittee shall spread all wastes to allow for adequate compaction, and shall compact all wastes with a maximum three-to-one slope to reduce voids and airspaces within the landfill and to achieve maximum compaction. [Minn. R. 7035.2825, subp. 9(B)]
3.2.22	The Permittee shall completely cover all waste on a monthly basis at a minimum. [Minn. R. 7035.2825, subp. 9(A)]
3.2.23	The Permittee shall maintain suitable cover material at the site. If suitable cover is not available on-site, cover material shall be delivered to and stockpiled at the site. [Minn. R. 7035.2825, subp. 9(C)]
3.2.24	Upon reaching final waste contours, the Permittee shall place final cover in accordance with the approved plans and specifications and Minn. R. 7035.2825, subp. 11. [Minn. R. 7035.2825, subp. 11, Minn. R. 7035.2825, subp. 9(D)]
3.2.25	The final contours of the fill area must be a minimum two percent and a maximum 20 percent slope. The cover system must also be included in the facility design and must meet the requirements of subpart 11. [Minn. R. 7035.2825, subp. 11, Minn. R. 7035.2825, subp. 8(E)]
3.2.26	Corrective actions must be implemented to repair any conditions not in compliance with parts 7035.2525 to 7035.2605. [Minn. R. 7035.2825, subp. 9(I)]
3.2.27	The Permittee shall maintain the final cover system on all closed portions of the active waste disposal area in accordance with the approved plans and specifications. [Minn. R. 7035.2655, subp. 1-2]
3.2.28	The Permittee shall maintain the integrity and functionality of the water monitoring network. The Permittee shall maintain a water monitoring system in compliance with Minn. R. 7035.2815, subp. 10. [Minn. R. 7035.2815, subp. 10]
3.2.29	Financial Criteria.
3.2.30	As outlined in Minn. R. 7035.2825, subp. 13, the Commissioner may require the Permittee to obtain financial assurance for the proper operation, closure, postclosure care, and corrective actions at the disposal area. At the time of permit reissuance, the MPCA did not require financial assurance for this facility. [Minn. R. 7035.2825, subp. 13]
TS 001	Tire Storage Area
3.3.1	Operating And Maintenance Criteria.
3.3.2	The Permittee shall provide a storage area for the collection of waste tires to be removed by a licensed tire hauler. No more than 100 passenger tire equivalents (PTE) may be stored at the facility. The Permittee shall include the number of tires transferred, and the licensed hauler's MPCA transporter identification number, in the facility's annual report. [Minn. R. 9220.0450, subp. 4, Minn. R. 9220.0480, subp. 3]
3.3.3	A waste tire storage area shall be designated. Only waste tires may be stored in the designated waste tire storage area. This area shall be maintained free of vegetation. [Minn. R. 9220.0450, subp. 3(D)]
3.3.4	No operations involving the use of open flames, blow torches, or highly flammable substances shall be conducted within 50 feet of a waste tire pile. [Minn. R. 9220.0450, subp. 3(A)]
3.3.5	No waste tire pile shall have an area greater than 5,000 square feet or a vertical height greater than 10 feet. [Minn. R. 9220.0450, subp. 3(F)]
3.3.6	A 50-foot fire lane shall be placed around the perimeter of each waste tire pile. Access to the fire lane for emergency vehicles shall be unobstructed at all times. The fire lane shall be maintained free of rubbish and vegetation at all times. [Minn. R. 9220.0450, subp. 3(G)]
3.3.7	All tire piles shall be maintained free of mosquitoes and rodents. [Minn. R. 9220.0450, subp. 3(H)]
3.3.8	Surface water drainage shall be diverted around and away from the waste tire storage area. [Minn. R. 9220.0450, subp. 3(I)]
RE 00#	Storage prior to recycling
3.4.1	This section of the permit pertains to the collection of materials prior to transfer for recycling. This facility is permitted to store:

	<p>- Appliances - no more than 100 can be stored in an enclosed or covered container - Electronics - no more than 100 can be stored in an enclosed or covered container. [Minn. R. 7001.0150]</p>
3.4.2	Design And Construction Criteria.
3.4.3	The Permittee shall construct the solid waste recycling area in accordance with the approved plans and specifications. Storage of waste on-site shall comply with Minn. R. 7035.2855. [Minn. R. 7001.0150, subp. 3, Minn. R. 7035.2845, subp. 4(B), Minn. R. 7035.2855]
3.4.4	The Permittee shall design any proposed future expansions or modifications of the solid waste recycling area in accordance with the design requirements outlined in Minn. R. 7035.2845, subp. 3. [Minn. R. 7035.2845, subp. 3]
3.4.5	Operating And Maintenance Criteria.
3.4.6	The Permittee shall remove all putrescible residual materials at least once per week. The Permittee shall remove all other residuals at least once per month. [Minn. R. 7035.2845, subp. 4]
3.4.7	All of the recyclable materials that are delivered to or are stored at the recycling facility must be removed from the facility within three years after the date of receipt. The owner or operator must notify the commissioner annually, in the annual report required in subpart 4a, if recyclable materials are stored longer than one year. The annual report must identify the type and approximate weight of material being stored. Recyclable materials that are stored longer than one year must be stored in such a way that the recyclability is retained. [Minn. R. 7035.2845, subp. 4(b)]
3.4.8	The Permittee shall divert all surface water around and away from either recyclable or reusable materials that are stored outdoors. [Minn. R. 7001.0150, subp. 3]
3.4.9	Recyclable materials must be delivered to the appropriate materials processing facility as outlined in rule or any facility permitted to recycle or compost the material. The Permittee shall not deliver source-separate recyclable materials to a disposal facility or a resource recovery facility that is composting MSW, burning waste, or converting waste to energy unless the commissioner has determined that no other person is willing to accept the recyclable material. [Minn. Stat. 115A.95]
3.4.10	At least 30 days prior to the effective date of closure, the owner or operator of a recycling facility must post a notice of closure at the entrance by signs indicating the date of closure, and must publish a notice of closure in a local newspaper. [Minn. R. 7035.2845, subp. 6]
3.4.11	Specific Conditions.
3.4.12	The Permittee shall provide a separate storage area for the storage and transfer of major appliances, as defined in Minn. Stat. 115A.03, such that damage to the units is minimized during handling. The Permittee shall ensure that the proper removal of hazardous components and refrigerant gases is performed by a certified appliance processor. The Permittee shall transfer all appliances off-site at least annually, with the number of appliances recycled and the destination included in the annual report. [Minn. R. 7001.0150, subp. 2]
3.4.13	The Permittee shall 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 Permittee shall store and manage electronics indoors and in a manner that prevents damage and the release of hazardous components. The Permittee shall transport electronics stored at the Facility off-site for recycling or disposal at an appropriately permitted facility at least annually and the Permittee shall note the volume and the destination in the annual report. [Minn. R. 7001.0150, subp. 2]

4. Waste capacity table

Waste activity	ID	Description	Status	Permitted area	Permitted area units	Permitted capacity	Permitted capacity (Units)	Design capacity	Design capacity (Units)
Demolition Debris Land Disposal	DD 001	Demolition Debris Disposal	Active / Existing	6.50	acre	145300	yd3	145300	yd3
Recycling	RE 001	Appliance Storage Area	Active / Existing	500	ft2	100	items	100	items
Recycling	RE 002	Electronics Storage Area	Active / Existing	100	ft2	40	yd3		
Solid Waste Storage	TS 001	Tire Storage Area	Active / Existing	1000	ft2	100	PTE		

5. Submittal/Action requirements

SW-422	Marshall County Demolition Landfill
5.1.1	The Permittee shall submit an annual facility report: Due annually, by the 1st of February. [Minn. R. 7035.2585]
5.1.2	The Permittee shall submit a work plan to design and install a ground water monitoring system. At a minimum the work plan should describe the methods to sufficiently determine groundwater flow direction at the site and characterize the subsurface in enough detail to install a groundwater monitoring network capable of measuring the upgradient and downgradient groundwater conditions relative to the fill area. The soil borings at a minimum should be completed to determine the thickness and extent of clay at the site. The Permittee shall submit work plan: Due by 60 days after permit issuance. [Minn. R. 7035.2815, subp. 10]
5.1.3	The Permittee shall submit annual water monitoring evaluation report: Due annually, by the 1st of February. [Minn. R. 7035.2815, subp. 14(Q)]
5.1.4	If the Permittee desires to continue the permitted activities beyond the expiration date, a complete permit reissuance application must be received a minimum of 180 days before the expiration date of this Permit. The Permittee shall submit an application for permit reissuance: Due 3472 calendar days after Permit Issuance Date. [Minn. R. 7001.0040, subp. 3]