



Public Notice of the Intent to Issue Solid Waste Permit SW-670-001

General information

Public comment period begins: December 5, 2016

Public comment period ends: 4:30 p.m. on January 5, 2017

Name and address of Permittee:

Lab USA Corporation
211 North Broadway, Suite 211
Green Bay, Wisconsin 54303

Land owner:

Xcel Energy – Minneapolis
414 Nicollet Mall
Minneapolis, Minnesota 55401

Facility name and location:

Lab USA's Ash Processing Facility -
Red Wing
1540 Bench Street
Red Wing, Minnesota 55066
Goodhue County
T113N, R15W, Section 035

MPCA contact person:

Sherri Nachtigal
Resource Management and Assistance Division
Minnesota Pollution Control Agency
18 Wood Lake Drive Southeast
Rochester, Minnesota 55904
Phone: 507-206-2600
Email: sherri.nachtigal@state.mn.us

File manager phone: 651-757-2728 or
844-828-0942

The MPCA Commissioner has made a preliminary determination to issue this permit for a term of 10 years. A draft permit is available for review on the Minnesota Pollution Control Agency (MPCA) Public Notices webpage at <http://www.pca.state.mn.us/publicnotices> or at the MPCA office address listed under the MPCA contact person. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and time identified above.

Watershed: Upper Mississippi River, Lower Portion

Description of Lab USA's Ash Processing Facility - Red Wing

Solid Waste Permit:

Lab USA's Ash Processing Facility - Red Wing, SW-670, is a proposed resource recovery facility. Lab USA proposes to construct and operate a facility that will process municipal solid waste (MSW) combustor ash for purposes of recovering the ferrous and non-ferrous metals. The MSW combustor ash that the facility proposes to process is currently being generated by Xcel Energy's Red Wing Generating Plant, as well as combustor ash previously deposited in the Xcel Energy's combustor ash landfill near Red Wing.

The proposed facility will be located on 3.4 acres on property that is owned by Xcel Energy Inc. The City of Red Wing plans to lease the land, and sublease it to Lab USA. The proposed building is an approximately 30,000 square foot facility that will be used to process the MSW combustor ash. The ash will be processed as follows:

- * Offloading Operations
- * Crushing/Screening Processing (oversized material removal)
- * Magnetic Separator Processing (mid-fraction ferrous and non-ferrous removal)
- * Eddy Current Processing (mid and fine-fraction non-ferrous removal)
- * Loading Operations

The facility proposes to process up to 150,000 tons per year of combustor ash, and 600 tons per day. The facility also proposes to store up to 3,500 tons per day of combustor ash, as well as 15,000 tons per year of recovered metals, and 60 tons per day.

Environmental Review:

The proposed combustor ash processing facility does not trigger a mandatory requirement for the preparation and completion of an Environmental Assessment Worksheet (EAW), or an Environmental Impact Statement (EIS), as outlined in Minn. R. 4410.4300, subp. 17. However, Lab USA has elected to complete a discretionary EAW in conjunction with the application to obtain a solid waste permit. A separate public notice was prepared for the discretionary EAW.

The preliminary determination to issue this Solid Waste Permit is tentative.

Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- (1) Submit written comments on the draft permit.
- (2) Petition the MPCA to hold a public informational meeting.
- (3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

To submit comments or petitions to the MPCA through the mail or email, you must state:

- (1) Your interest in the permit application or the draft permit.
- (2) The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
- (3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.