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January 22, 2026

VIA EMAIL

To: Interested parties

RE: General Waste Landfill Conversion (Project) in the City of Keewatin, Itasca County, Minnesota

The Minnesota Pollution Control Agency (MPCA) has approved the Findings of Fact (FOF), Conclusions of Law, and Order for a Negative Declaration on the need for an Environmental Impact Statement (EIS) on the General Waste and Recycling, LLC General Waste Landfill Conversion (Project). The FOF document concludes that this project does not have the potential for significant environmental effects. The decision for a Negative Declaration completes the state environmental review process under Environmental Quality Board (EQB) rules, Minn. R. ch. 4410. Final governmental decisions on permits or approvals for the project may now be made.

Interested parties can review the FOF and the EAW documents at the following locations: the MPCA office in St. Paul. Interested parties can also view the documents on MPCA's website at: <https://www.pca.state.mn.us/business-with-us/recently-completed-mpca-reviews>. Please contact the MPCA's St. Paul office at 651-757-2098 for copies of these documents.

Sincerely,

Katrina Kessler

This document has been electronically signed.

Katrina Kessler, P.E.
Commissioner

KK/AM:rs/nld

Attachment

cc: Chris Holm, Bois Forte Band of Chippewa (w/attachment)
Frank Villebrun, Bois Forte Band of Chippewa (w/attachment)
Jaylen Strong, Bois Forte Band of Chippewa (w/attachment)
Evan Schroeder, Fond Du Lac Band of Lake Superior (w/attachment)
Arianna Northbird, Fond Du Lac Band of Lake Superior (w/attachment)
Kelly Applegate, Mille Lacs Band of Ojibwe (w/attachment)
Susan Klapel, Mille Lacs Band of Ojibwe (w/attachment)
Tony Pike, Mille Lacs Band of Ojibwe (w/attachment)
Jamie Edwards, Mille Lacs Band of Ojibwe (w/attachment)
Mike Wilson, Mille Lacs Band of Ojibwe (w/attachment)
Shena Matrious, Mille Lacs Band of Ojibwe (w/attachment)

cc: See next page.

Interested parties

Page 2

January 22, 2026

cc: Robert Smith, Red Lake Band of Chippewa (w/attachment)
George Branchaud, Red Lake Band of Chippewa (w/attachment)
Luke Warnsholz, Minnesota Chippewa Tribe (w/attachment)
Vanessa Alberto, Tribal Liaison (w/attachment)
Allison Smart, Tribal Liaison (w/attachment)
Walt Ford, Tribal Liaison (w/attachment)
Billie Isham, Tribal Liaison (w/attachment)
Jackie Dionne, Tribal Liaison (w/attachment)
Chase Christopherson, Tribal Liaison (w/attachment)
Ravyn Gibbs, Tribal Liaison (w/attachment)
Bradley Harrington, Tribal Liaison (w/attachment)
Mat Pendleton, Tribal Liaison (w/attachment)
James Clark, Tribal Liaison (w/attachment)
Levi Brown, Tribal Liaison (w/attachment)
Shannon Kesner, Tribal Liaison (w/attachment)
Amanda Wold, Tribal Liaison (w/attachment)
Melissa King, Tribal Liaison (w/attachment)
Molly Mehl, NRCS Tribal Liaison (w/attachment)
Beth Ann Mackey, City of Keewatin (w/attachment)
Mick LaBine, City of Keewatin (w/attachment)
David Benke, MPCA (w/attachment)
Brian Timerson, MPCA (w/attachment)
Joseph Miller, MPCA (w/attachment)
Theresa Haugen, MPCA (w/attachment)
Audrey Maass, MPCA (w/attachment)

**STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY**

**In The Matter Of The Decision
On The Need For An Environmental
Impact Statement For The Proposed
General Waste Landfill Conversion Project
Located in the City of Keewatin, Itasca County, Minnesota**

**FINDINGS OF FACT
CONCLUSIONS OF
LAW AND ORDER**

INTRODUCTION

Pursuant to Minn. ch. 4410, the Minnesota Pollution Control Agency (MPCA) staff prepared and distributed an Environmental Assessment Worksheet (EAW) for the proposed General Waste and Recycling, LLC General Waste Landfill Conversion (Project) in the City of Keewatin, Itasca County, Minnesota. Based on the MPCA staff environmental review, the EAW, and other information in the record of the MPCA, the MPCA hereby makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Project Description

1. General Waste and Recycling, LLC (General Waste) proposes to convert two cells of its existing construction and demolition (C&D) and industrial landfill (Site) to accept less than 100,000 cubic yards of municipal solid waste per year in the City of Keewatin, Itasca County, Minnesota (Project).
2. The Project will not increase the footprint of the existing permitted facility.
3. General Waste applied for a Major Modification of the Solid Waste Permit (SW-620) for the Project on December 20, 2024, and is pending review by MPCA. Additional required Project permits are in Item 25.

Procedural History

4. An EAW is a brief document designed to provide the basic facts necessary for the Responsible Governmental Unit (RGU) to determine whether an Environmental Impact Statement (EIS) is required for a Project or to initiate the scoping process for an EIS (Minn. R. 4410.0200, subp. 24). The MPCA is the RGU for this Project.
5. Minn. R. 4410.4300, subp. 1 requires preparation of an EAW for the Project because the Project involves the construction of a mixed municipal solid waste land disposal facility over the threshold identified in Minn. R. 4410.4300, subp. 17 (A).
6. The MPCA provided public notice of the Project as follows:
 - The Environmental Quality Board (EQB) published the Notice of Availability of the EAW for public comment in the EQB Monitor on November 12, 2025, as required by Minn. R. 4410.1500.
 - The MPCA published the EAW for review on the MPCA website at:
<https://mpca.commentinput.com/comment/search>.
 - The MPCA provided a news release to media in Itasca County Minnesota, and other state-wide interested parties, on November 12, 2025.

7. During the 30-day comment period on the EAW ending on December 12, 2025, the MPCA received no comments.
8. On December 15, 2025, the MPCA requested and was granted approval from the EQB for a 15-day extension of the decision-making process on the need for an Environmental Impact Statement (EIS) for the Project, extending that to January 28, 2026, in accordance with Minn. R. 4410.1700, subp. 2(B).

The Four Criteria for Determining the Potential for Significant Environmental Effects

9. The MPCA must base its decision on the need for an EIS on the information gathered during the EAW process and the comments received on the EAW (Minn. R. 4410.1700, subp. 3). The MPCA must order an EIS for projects that have potential for significant environmental effects (Minn. R. 4410.1700, subp. 1). In deciding whether a project has the potential for significant environmental effects, the MPCA must compare the impacts that may be reasonably expected to occur from the Project with the criteria set forth in Minn. R. 4410.1700, subp. 7. The four criteria are:
 - A. Type, extent, and reversibility of environmental effects.
 - B. Cumulative potential effects. The RGU shall consider the following factors:
 - whether the cumulative potential effect is significant;
 - whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect;
 - the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and
 - the efforts of the proposer to minimize the contributions from the project.
 - C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project.
 - D. The extent to which the environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

The MPCA Findings with Respect to Each of These Criteria

A. Type, Extent, and Reversibility of Environmental Effects

10. The first criterion the MPCA must consider when determining if a project has the potential for significant environmental effects is the “type, extent, and reversibility of environmental effects” (Minn. R. 4410.1700, subp. 7(A)). The MPCA Findings with respect to this criterion are set forth below.
11. The types of impacts the MPCA anticipates may reasonably be expected to occur from the Project include the following:
 - Greenhouse gas (GHG) emissions;
 - surface and groundwater quality; and
 - odor emissions.

12. With respect to the extent and reversibility of impacts that are reasonably expected to occur from the Project, the MPCA makes the following Findings:

12.1. GHG emissions.

12.1.1. The MPCA considered GHG emission sources that are within the scope of the Project.

12.1.2. The Project will directly release GHG emissions, which can widely disperse within the atmosphere, and which vary both in terms of their global warming potential and their persistence in the atmosphere.

12.1.3. To provide a common unit of measure, the MPCA uses the individual global warming potential of methane and nitrous oxide to convert to carbon dioxide equivalency (CO₂e).

12.1.4. Using the EPA emission factors, Construction Sources (mobile equipment), the Project will release 35.65 tons per year (tpy) of CO₂e during construction. The Project will release 24,208.32 tpy of CO₂e during operation from anthropogenic, biogenic, and electrical consumption.

12.1.5. There are no Minnesota Ambient Air Quality Standards (MAAQs) or National Ambient Air Quality Standards (NAAQs) for GHGs.

12.1.4. Currently, there are no federal or Minnesota thresholds of GHG significance for determining impacts of GHG emissions from an individual project on global climate change.

12.1.5. In absence of a threshold of GHG significance, the MPCA looks to existing regulation.

Minn. R. 4410.4300, subp. 15(B) establishes a mandatory category requiring preparation of an EAW for stationary source facilities generating 100,000 tpy of GHGs. The purpose of an EAW is to assess environmental effects associated with a proposed project to aid in the determination of whether an EIS is needed. On the premise of GHG emissions, environmental review regulations establish 100,000 tpy as a “trigger” to prepare an EAW to aid in determining potential significant environmental effects. A reasonable conclusion is that the Project’s total GHG emissions below 100,000 tpy are not significant.

12.1.6. The MPCA finds information presented in the EAW and other information in the environmental review record are adequate to assess potential GHG emissions, which are reasonably expected to occur to and from the Project.

12.1.7. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to GHG emissions, which are reasonably expected to occur.

12.2. Surface and groundwater quality

12.2.1. A groundwater monitoring program has been established at the site and any future corrective action program, although not expected, will be developed based upon monitoring results and hydrogeological information.

12.2.2. Welcome Creek is 950 feet east of the landfill boundary.

12.2.3. No Department of Natural Resource (DNR) Public Waters or wetlands are present within the Project area.

12.2.5. There are no public waters or Waters of the State present within the Project area.

12.2.6. There are no floodplains in the nearby area.

12.2.7. Stormwater runoff quantity and quality are not expected to be significantly altered by the Project. Stormwater will be diverted to prevent surface water run-on to the waste. Diversion berms and conveyance structures will direct surface water runoff to existing and newly constructed stormwater ponds. No change to the final cover surface water drainage system is proposed from the current Solid Waste Permit plan.

12.2.8. The MPCA finds information presented in the EAW and other information in the environmental review record is adequate to assess potential impacts to the quality of surface and groundwater expected to occur from the Project.

12.2.9. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent, and reversibility of impacts related to surface and groundwater, which are reasonably expected to occur.

12.3. Odor emissions

12.3.1. During active Landfill operations, the primary air emissions will be odor from the mixed municipal solid waste (MSW) brought into and disposed of onsite.

12.3.2. Emissions from uncollected and uncontrolled landfill gas (LFG) will also be emitted.

12.3.3. The LFG will be collected by a gas collection system (GCS) that will prevent methane (CH_4), concentrations from reaching combustible levels.

12.3.4. After collection, LFG will be either passively vented to the atmosphere or routed to a flare for combustion and odor control. The flare would reduce CH_4 , VOC, and HAP emissions while generating products of combustion which include carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM), particulate matter less than 10 microns (PM_{10}), and particulate matter less than 2.5 microns ($\text{PM}_{2.5}$), and sulfur dioxide (SO_2).

12.3.5. Leachate treatment will generate odors like those found at a municipal wastewater treatment plant.

12.3.6. Odors and dust at the Landfill will be controlled by placing and compacting waste at the time it arrives at the Site, minimizing the working face area, and covering waste with daily cover (soil or alternative daily cover). During operations, litter could blow away from the active fill area. Daily cover will minimize this, and litter will be picked up.

12.3.7. The MPCA finds information presented in the EAW and other information in the environmental review record is adequate to assess potential impacts of odor emissions, which are expected to occur from the Project.

12.3.8. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to odor emissions, which are reasonably expected to occur.

B. Cumulative Potential Effects

13. The second criterion the MPCA must consider when determining if a project has the potential for significant environmental effects, is the cumulative potential effects. In making this determination, the MPCA must consider “whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation

measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project" Minn. R. 4410.1700 subp.7(B). The MPCA findings with respect to this criterion are set forth below.

14. The EAW, public comment, and the MPCA follow-up evaluation did not disclose any related or anticipated future projects that may interact with this Project in such a way as to result in significant cumulative potential environmental effects.
15. The EAW addressed the following area for cumulative potential effects for the proposed Project:
 - Air quality.
16. Cumulative potential effects related to air quality were discussed in Item 17 and 21.c. of the EAW. Finding 12.1 is incorporated herein as part of the MPCA's cumulative potential effects evaluation for human health impacts to air quality, in that the air assessment through refined air dispersion modeling and Air Emissions Risk Analysis (AERA) incorporated ambient background concentrations and nearby contributing emission sources in the same geographic region.
17. The post-project potential-to-emit emissions, including fugitives, are below all applicable federal and state thresholds.
18. The results of the AERA indicate the calculated cumulative excess cancer risks and hazards are below the MDH risk management levels. The Project does not significantly change the rural risk and hazard levels.
19. The MPCA finds the information presented in the EAW and other information in the environmental review record does not demonstrate that the Project has the potential for significant environmental effects to air quality based on significant cumulative potential effects because: will meet the NAAQS and will not pose any acute inhalation health hazards or any sub-chronic or chronic multi-pathway health hazards to the public.
20. Therefore, the MPCA finds the Project is not expected to contribute significantly to adverse cumulative potential effects on air quality.

Cumulative Effects Summary

21. Based on information on the Project obtained from air modeling reports and on water quality/groundwater appropriation and air quality presented in the EAW, and consideration of potential effects due to related or anticipated future projects, the MPCA does not expect significant cumulative effects from this Project.
22. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects related to cumulative potential effects that are reasonably expected to occur.

C. The Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

23. The third criterion the MPCA must consider when determining if a project has the potential for significant environmental effects is "the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project." Minn. R. 4410.1700, subp. 7(C). The MPCA Findings with respect to this criterion are set forth below.

24. The following permits or approvals will be required for the Project.

Permits and approvals.

Unit of Government	Permit or approval required	Status
MPCA	NPDES/SDS Industrial Stormwater General Permit (MNR053BFB)	Amendment to existing permit
	Certificate of Need (CON)	Preliminary approved; final to be issued after EIS need decision
	Solid waste permit application for issuance, reissuance, or major modification.	Permittee Reviewing Preliminary Draft Permit.

Below are numbered paragraphs describing each permit listed above, including special conditions.

25. **NPDES/SDS Industrial Stormwater General permit (ISW permit).** Certain dischargers of industrial stormwater must have an ISW permit. The purpose of the permit is to identify conditions under which industrial stormwater can be discharged so that the quality of surface waters, wetlands and groundwater is protected. The permit requires a stormwater pollution prevention plan (SWPPP) that provides details of best management practices to be implemented.
26. **MPCA Certificate of Need.** No new capacity for landfill disposal of mixed MSW may be permitted without a CON from the Commissioner of the MPCA. The MPCA must determine that additional capacity is needed in the County and is consistent with the County Solid Waste Management Plan where the landfill is located.
27. **MPCA Mixed Municipal Solid Waste Land Disposal Facility Permit.** Typical mixed municipal waste includes garbage collected in aggregate from residential routes. The project proposer is responsible for submitting engineering plans and for managing the facility in accordance to the final permit requirements which would regulate design parameters, construction, operation, leachate management, monitoring, closure, post-closure, and emergency/contingency action plans, among other things.
28. The above-listed permits include general and specific requirements for mitigation of environmental effects of the Project. The MPCA finds the environmental effects of the Project are subject to mitigation, as explained in these Findings and the EAW, by ongoing public regulatory authority.
- D. The Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Available Environmental Studies Undertaken by Public Agencies or the Project Proposer, Including Other EISs**
29. The fourth criterion the MPCA must consider is “the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs,” Minn. R. 4410.1700, subp. 7(D). The MPCA Findings with respect to this criterion are set forth below.
30. Although not exhaustive, the MPCA reviewed the following documents as part of the environmental impact analysis for the Project:
- Data presented in the EAW;
 - air emissions risk assessment; and
 - permits and environmental review of similar projects.

31. The MPCA also relies on information provided by General Waste, staff experience, and other available information obtained by staff.
32. The environmental effects of the Project have been addressed by the design and permit development processes, and by ensuring conformance with regional and local plans. No elements of the Project pose the potential for significant environmental effects that are not addressed or mitigated by the requirements of the permits listed above or in the EAW.
33. Based on the environmental review, previous environmental studies by public agencies or General Waste, and staff expertise and experience on similar projects, the MPCA finds the environmental effects of the Project reasonably expected to occur can be anticipated and controlled.

CONCLUSIONS OF LAW

34. The MPCA has jurisdiction in determining the need for an EIS for this Project. Minn. R. 4410.4300, subp. 1. The EAW, the permit development process, and the evidence in the record are adequate to support a reasoned decision regarding the potential significant environmental effects reasonably expected to occur from this Project.
35. The MPCA identified areas for potential significant environmental effects. The Project design and permits ensure General Waste will take appropriate mitigation measures to address potentially significant effects. The MPCA expects the Project to comply with all environmental rules, regulations, and standards.
36. Based on a comparison of the impacts reasonably expected to occur from the Project with the criteria established in Minn. R. 4410.1700, subp. 7, the Project does not have the potential for significant environmental effects.
37. An EIS is not required for the proposed General Waste Landfill Conversion Project.
38. Any Findings that might properly be termed conclusions and any conclusions that might properly be termed Findings are hereby adopted as such.

ORDER

39. The Minnesota Pollution Control Agency determines that there are no potential significant environmental effects reasonably expected to occur from the General Waste Landfill Conversion Project and that there is no need for an Environmental Impact Statement.

IT IS SO ORDERED

January 22, 2026

Date signed

Katrina Kessler

This document has been electronically signed.

Katrina Kessler, P.E.
Commissioner
Minnesota Pollution Control Agency