



# Minnesota Pollution Control Agency

May 26, 1993

Dear Landfill Owner/Operator:

This letter is being written to provide formal notice that the Minnesota Pollution Control Agency (MPCA) has submitted its final application to the U. S. Environmental Protection Agency (EPA) to obtain approval to administer the EPA criteria for municipal solid waste landfills as defined in federal rule 40 CFR Part 258. This rule was adopted as required by Subtitle D of the Resource Conservation and Recovery Act. A copy of 40 CFR Part 258 is enclosed.

This rule was published in the October 9, 1991, Federal Register, and it is applicable to all municipal solid waste landfills (MSWLF) that have received municipal solid waste in the past and continue to receive waste on or after October 9, 1993. MSWLF that stop receiving waste by October 9, 1993, but do not complete final cover within 180 days after October 9, 1993, unless an extension is granted, must also comply with this rule. Solid waste is defined to include refuse, demolition, and industrial waste. Therefore, old MSWLF that continue to receive waste and will continue to receive any type of solid waste after October 9, 1993, in or immediately adjacent to the municipal solid waste fill area, must comply with these rules. Old MSWLF that closed by October 9, 1991, or close by October 9, 1993, and complete final cover within 180 days of closure or have a certified cover over the old municipal solid waste fill area and have a separate permitted demolition or industrial disposal area that can be separately monitored, would not have to comply with these rules.

The MPCA application to obtain approval to administer these rules will be published for public comment in the May 28, 1993, Federal Register. A public meeting will be held on the application on July 28, 1993, in the MPCA Board Room at 520 Lafayette Road in St. Paul, Minnesota. After the MPCA receives approval to administer these rules, minor modifications will be made to all applicable permits to incorporate regulatory requirements resulting from these federal rules. These are considered minor modifications because these new requirements will have a beneficial environmental impact and the GENERAL CONDITIONS section of existing permits authorizes the MPCA to enforce new rules adopted by Minnesota or the federal government. This authority is also stated in Minn. Rules pt. 7001.0150. The minor modification of applicable permits will be in accordance with Minn. Rules pt. 7001.0190, subp. 3.

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The following minor modifications will be made to existing MSWLF permits if the landfill will remain open after October 9, 1993. Additional cover, liner, financial assurance, and monitoring modifications will be needed for old MSWLF that continue to receive waste, in or immediately adjacent to the municipal solid waste fill area, under an existing demolition landfill permit:

1. Solid waste must be covered with six inches of earthen material or approved alternate material at the end of each day.
2. Quarterly methane monitoring must be conducted in and around facility structures and on the facility property boundary and the results must be reported in the annual report.
3. There must be a run-on control system for peak discharge from a 25 year storm and run-off control system for a 24 hour, 25 year storm. A facility drainage plan must be submitted by December 9, 1993, which demonstrates compliance with this requirement or identifies a schedule for construction of run-on/run-off control structures.
4. Ground water sampling procedures must be in accordance with 40 CFR 258.53. Field filtering of ground water samples is still being evaluated by EPA. The MPCA application and EPA approval will not address this issue until a final decision is made by EPA.
5. Additional detection or routine monitoring parameters must be analyzed in the ground water monitoring program as defined in the final approval from EPA. Note: The final application does not anticipate any additional detection monitoring parameters.
6. When one or more detection or routine monitoring parameters exceed intervention limits at the MPCA compliance boundary, assessment monitoring must be initiated based on the following procedures:
  - a. A landfill can initiate assessment monitoring using existing wells at the MPCA compliance boundary or undergo additional expense to install new wells at the 40 CFR Part 258.40 compliance boundary (150 meters but not outside property boundary). If the 40 CFR Part 258 compliance boundary is used, at least three additional downgradient wells must be proposed in a workplan. At least four rounds of sampling must be conducted at these new wells within 6 months after well construction, using the MPCA existing detection monitoring parameters, to establish background concentrations. If these new wells exceed intervention limits, assessment monitoring must be conducted on these new wells.

- b. Assessment monitoring parameters will consist of monitoring the compounds identified in appendix II and compounds not already sampled in appendix I of Federal Rule 40 CFR Part 258 at the upgradient well and at downgradient wells on the compliance boundary. The initial monitoring can be conducted during a routine monitoring event. Assessment sampling must continue once per year until approval is obtained to reduce or delete this additional monitoring. All compounds that are detected during this assessment sampling, based on the practical quantitation limits (PQL) in appendix II, must be sampled during the next four routine monitoring events. An evaluation of this data must be submitted at the completion of this monitoring and further evaluation will be in accordance with 40 CFR Part 258.55.
  - c. Landfills with liners will be allowed to sample the leachate rather than monitoring wells for the appendix I and II parameters to determine which parameters are present in the leachate. This sampling must continue once per year or until approval is obtained to reduce or delete this additional monitoring. Those parameters measured above the PQL must then be sampled during the next four routine monitoring events at the upgradient well and at the monitoring wells at the compliance boundary. An evaluation of this data must be submitted at the completion of this monitoring and further evaluation will be in accordance with 40 CFR Part 258.55. A landfill will only qualify for this alternative if the liner is completely covered with mixed municipal waste and the leachate collected accurately represents leachate from mixed municipal waste.
7. When parameters are found to exceed the intervention limits at the compliance boundary, assessment and implementation of corrective actions must be initiated in accordance with Minn. Rules pts. 7035.2615 and 7035.2815, subp. 15 and 40 CFR 258.56 to 40 CFR 258.58. A public meeting must be held prior to the selection of a corrective action.
  8. Within 180 days following completion of a fill area, the final cover must be completed. The MPCA will be able to authorize extensions because of weather conditions.
  9. Postclosure care and monitoring must continue for 30 years unless a decreased period can be approved by the MPCA. This requirement will be added to closure plans of landfills that must comply with 40 CFR 258.
  10. The hardship provision allowed under Minn. Rules pt. 7035.2705 subp. D. will no longer be allowed after April 9, 1994.

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If you have any questions on these minor modifications or if you have questions on 40 CFR 258, please contact Lanny Peissig at (612)297-1781 or Cathy Moeger at (612)296-9631, TDD (for persons who are hearing or speech impaired only) call 612/297-5353. Also if you have objections to the addition of these minor modifications to your permit, please contact Lanny Peissig prior to the July 28, 1993, public meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Art Dunn".

Art Dunn  
Manager, Solid Waste Section  
Ground Water and Solid Waste Division

AD:cj

Enclosure