

# Instructions for completing a solid waste facility permit application

## Permit application for issuance, reissuance, or major modification

In accordance with Minn. R. [7001.3050](#), subpart 1, a solid waste management facility permit or permit modification is required to:

- A. Treat, store, process, transfer, or dispose of solid waste
- B. Establish, construct, or operate a solid waste management facility
- C. Change, add, or expand a permitted solid waste management facility

Minn. R. [7001.0050](#) requires a person who requests the issuance, modification, revocation and reissuance, or reissuance of a permit shall complete, sign, and submit to the commissioner a written application. Minn. R. [7001.3000](#) through [7001.3550](#) detail the specific requirements for solid waste facility permit applications.

## Complete application submittal

In order for the Minnesota Pollution Control Agency (MPCA) to process your solid waste permit application, all of the required information must be included in one submittal. The application form is only one small part of a complete application. Additional facility information must be included in the submittal, such as an operations plan, closure plan, contingency action plan, and sampling/analysis plan. Plans and specifications previously submitted to the MPCA will not be considered part of this application submittal. All plans must be updated and submitted with this application.

Waste activity specific checklists are provided on the [solid waste permitting webpage](#) to assist in ensuring your application has all of the required plans and information. Links to each checklist are also provided on the bottom of the first page of the application form.

The first page of this form also asks you to identify the permit type you are applying for – new permit, reissuance, or major modification. Please select the appropriate action:

- A **new permit application** is for the initial issuance of a full solid waste permit for a facility. This includes transitioning from a permit-by-rule (PBR) to a permitted facility.
- A **reissuance application** is to modify (if necessary) and reissue an existing solid waste permit near the expiration date. Permit conditions require the application be submitted at least 180 days prior to the expiration date of the existing permit. Per Minn. R. [7001.0160](#), a timely application must be received in order for a facility to continue operating under an expired permit.
- A **major modification application** is for the modification of an existing permit that may result in actual or potential increases in the emission or discharge of a pollutant to the environment or that will result in a reduction of the agency's ability to monitor the permittee's compliance with applicable statutes and rules [Minn. [7001.0190](#), subp.3].
- **Resubmittal of an incomplete application** is for applications that have been revised and are being resubmitted. If an application was submitted but the MPCA determined it was not completed enough to proceed with drafting the permit, use this checkbox when submitting the revised application.

There are separate forms for minor permit modifications and change in ownership/control. Please refer to those application forms.

- [Permit application for issuance, reissuance, or major modification \(w-sw3-33\)](#)
- [Permit application change of ownership/operator/landowner \(w-sw3-33a\)](#)
- [Permit application for minor modification \(w-sw3-33b\)](#)

Next, this form asks for the facility name, address and MPCA region. If the facility name has changed, please include the previous facility name as well as the new facility name.

If you do not know the region, please refer to this map on the MPCA's webpage. This section also asks facilities with a PBR or existing permit to provide the permit number and the expiration date of the permit.

Finally, the bottom of page one includes a list of the available checklist. Please check the box for all of the checklists included and used to complete the application. All solid waste facilities need to complete the Solid Waste Facility Application Checklist. The other checklists are waste activity specific and need to be completed only if the facility does that waste activity. Each checklist used should have the left column filled in, letting the MPCA know where that information can be found in the application submittal. If an item on the checklist does not apply, please enter 'n/a'.

## I. Facility information

### A. Legal description of property

Provide the legal description for the entire property along with the latitude and longitude for the approximate center of the waste activities. Online tools are available to find the latitude and longitude using the address of the facility or a map. Existing facilities can use the MPCA's [What's in My Neighborhood](#) tool to find this information.

### B. General information

This section asks for basic information regarding the facility. Please provide all of the requested information.

1. Directions to the facility
2. Current land use
3. Current zoning
4. Describe key topographic features

This section also asks for information regarding previous documents prepared and approvals granted in the past.

#### 5. Environmental Review

Minn. R. 4410 details the rules pertaining to environmental review. Minn. R. [4410.4300](#), subp. 17 details the mandatory thresholds for completing an environmental assessment worksheet (EAW) for solid waste facilities. Minn. R. [4410.4400](#), subp. 13 details the mandatory thresholds for completing an environmental impact statement (EIS) for solid waste facilities.

- a) If an EAW or EIS has been completed in the past for the facility, please include that information in part (a) of this section.
- b) If the changes to the facility proposed in this permit application require a new EAW or EIS be completed, please include that information in part (b) of this section. A draft EAW or EIS must also be submitted in accordance with Environmental Quality Board (EQB) rules. More information can be found on the MPCA's Environmental Review webpage.

## 6. Variances

Minn. R. [7000.7000](#) details the procedure for issuance of all variances by the MPCA.

- a) If a variance has previously been granted, please provide a list of what the variance was for (including rule citations), the approval date and the approval type (was it part of a permit reissuance or separate approval). The application submittal should include copies of these previous approvals. The MPCA will reevaluate previous approvals to determine if they are still necessary.
- b) If this application includes a new variance request, please provide a brief description in part (b) of this section. Please include the rule citation(s) that apply. The application submittal must also include more detailed information in accordance with Minn. R. [7000.7000](#).

## 7. Environmental Justice

The MPCA is committed to making sure that pollution does not have a disproportionate impact on any group of people — the principle of environmental justice. Please use the [map tool](#) provided to determine if your solid waste facility is located in an area of environmental justice concern.

## 8. Certificate of Need

Certificate of Need (CON) is a separate approval required to dispose of MSW in the State of Minnesota. Minn. R. [9215.0890](#) thru [9215.0950](#) detail the CON request and approval process.

- a) If the CON has been granted in the past, please provide the most recent approved volume and approval date in part (a) of this section.
- b) If this application requires an additional CON be granted, please let us know in part (b).

### C. Nearby features

Complete the table identifying specific types of features such as lake, airports, parks, and historical sites located near the facility. Provide the feature name and distance from the facility property boundary.

## II. Waste activity information

### A. Table I(A): Waste activity information

Complete a row for each separate waste activity/waste type managed at the facility. A new row should be added for each unique combination of waste activity area and waste type. For example, if the facility has a disposal area for MSW and a separate disposal area for C&D, each would have a different row. If one waste activity area manages multiple waste types, select the primary waste type for that row. For example, if the disposal area is primarily for industrial waste but take some C&D waste, the row should use "Industrial Waste". An example table is provided below.

#### 1. Waste activity

This is a dropdown list for the different waste activities that are regulated in a solid waste permit. Here are the activities available on the dropdown list:

- Land Disposal
- Composting
- Transfer
- Storage
- Processing
- Recycling
- Land Application

## 2. Waste type

This is a dropdown list for the different waste types. Please select the primary waste types managed in that waste activity area. Here are the waste types available on the dropdown list:

- Mixed Municipal Solid Waste (MSW)
- MSW Combustor Ash
- Construction and Demolition Debris (C&D)
- Industrial Solid Waste (Specify):
  - Please specify what industrial waste types you accept at the landfill, such as coal ash or paper sludge
- Source Separated Organic Material (SSOM)
- Yard Waste
- Single Stream Recyclables (Commingled)
- Paper
- Concrete/Asphalt/Brick
- Asphalt Shingles
- Ferrous Metal
- Tires Wood
- Application
- Electronics
- Other (Specify):
  - Please specify what industrial waste types you accept at the landfill, such as coal ash or paper sludge
- MSW ã Refuse Derived Fuel (RDF)
  - This is for facilities that accept MSW and process it to produce RDF so that only one processing row is needed in this table
- Cardboard
- Plastic
- Glass
- Non-ferrous Metal
- Industrial By-Product (Specify):
  - Please specify what industrial waste types you accept at the landfill, such as sugar beets
- Leachate

## 3. Current permitted capacity

"Current 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 your current permit. For land disposal facilities, "permitted capacity" 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.

## 4. Proposed capacity change

"Proposed Capacity Change" means changes you are requesting to change 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 your current permit. Enter the change in volume or acceptance rate you are requesting. The new permitted capacity will be the sum of the Current

Permitted Capacity and the number entered in this column. If you are requesting a decrease in capacity, enter a negative number. If there are no proposed changes to the permitted capacity in your existing permit, please enter "none" or "n/a".

**5. Design capacity**

"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]

## Example waste activity table

Waste Activity [dropdown list]	Waste Type Managed [dropdown list]	Current permitted capacity				Proposed additional capacity				Design capacity			
		Area	Units	Capacity	Units	Area	Units	Capacity	Units	Area	Units	Capacity	Units
Land Disposal	Mixed Municipal Solid Waste (MSW)	7	Acres	1,000,000	Cubic yards	None	None	None	none	7	Acres	1,000,000	Cubic yards
Land Disposal	Construction & Demolition Debris (C&D)	3	Acres	300,000	Cubic yards	1	Acre	100,000	Cubic yards	6	Acres	600,000	Cubic yards
Land Disposal	Industrial Solid Waste (Specify): <u>Coal Ash</u>	None	None	None	none	10	Acres	1,000,000	Cubic yards	20	Acres	1,900,000	Cubic yards
Storage	Wood	0.25	Acres	500	Cubic yards	None	None	None	none	0.25	Acres	500	Cubic yards
Storage	Tires	5000	Square Feet	50,000	Cubic yards	None	None	None	none	5000	Square Feet	50,000	Cubic yards
Recycling	Ferrous Metal	5000	Square Feet	1000	Cubic yards	5000	Square Feet	1000	Cubic yards	10,000	Square feet	2000	Cubic yards
Processing	MSW -> Refuse Derived Fuel (RDF)	10,000	Square feet	120	Tons per day	-5,000	Square Feet	-20	Tons per day	10,000	Square feet	120	Tons per day

In this example, the permittee is asking to have the new permit:

- Keep the footprint and capacity the same for the MSW disposal area
- Add new industrial solid waste disposal area
- Increase the footprint and capacity of the C&D disposal area (permitted would read 4 Acres, 400,000 cubic yards)
- Keep the footprint and capacity the same for the wood storage area
- Keep the footprint and capacity the same for the waste tire storage area
- Increase the footprint and capacity of the metal storage area (permitted would read 10,000 sq ft, 2,000 cubic yards)
- Decrease the footprint and capacity of the RDF processing area (permitted would read 5,000 sq ft, 100 tons per day)

## B. Table I(B): Land disposal activities

Completed a row for each different fill area the facility has. Begin by selecting a Disposal Type from the left column. These rows should closely resemble the disposal activities listed in the Waste Capacity Table of your existing permit. If you are proposing new fill areas, be sure to add a row.

### 1. Disposal type

Select the appropriate disposal type from the dropdown list. The options are:

- MSW, lined
- MSW Ash, lined
- Industrial, lined
- Class I Demo, lined
- Class II Demo, lined
- Class III Demo, lined
- MSW, unlined
- MSW Ash, unlined
- Industrial, unlined
- Class I Demo, unlined
- Class II Demo, unlined
- Class III Demo, unlined

### 2. Designation/area name

Insert the designation and name for the area. This will help differentiate separate fill area that manage the same waste types. For example, a facility may have three separate fill areas that accepts MSW and may have different statuses. The designation can be found in the ID column of the Waste Capacity Table of your current permit (for new facilities, you can leave this blank). Example designations include DD 001, SA 001, ST 001, and TR 001.

### 3. Status

Select Active, Closed or Inactive. For this table use the following definitions:

- a. Active: the fill area is still open and receiving waste
- b. Closed: the fill area is closed and final cover has been constructed
- c. Inactive: the fill area has not received waste for an extended period of time, but final cover has not yet been installed
- d. Proposed: the fill area is new and not yet permitted, but this application is requesting the additional airspace or the airspace is considered in the design capacity for the facility

**\*NOTE: if multiple phases/areas are contiguous, accept the same waste types, and have the same status, please combine them into one row.**

### 4. Occupied footprint

### 5. In-place volume

### 6. Area at final elevation with no final cover

### 7. Area at final elevation with final cover

### 8. Certificate of Need available

Enter the remaining CON capacity. This is the volume of CON already approved by the MPCA that has not yet been utilized.

## Example land disposal table

Disposal Type [dropdown list]	Designation/Area Name	Status [dropdown list]	Occupied Footprint (acres)	In-Place Volume (cy)	Area at final elevation with no final cover (acres)	Area at final elevation with final cover (acres)	Certificate of Need available (MSW only) (cy)
MSW unlined	SA 002 = Phase 1	Closed	5	20,000	0	5	0
MSW lined	SA 001 = Phase 2, cells 1 thru 5	Active	7	450,000	3	1	100,000
MSW lined	SA 001 = Phase 2, cells 6 thru 10	Proposed	7	0	0	0	0
MSW Ash lined	Phase 1, cell 1 thru 4	Active	5	220,000	2	0.5	n/a
Industrial lined	Phase 1, cells 7-14	Active	6	120,000	1.5	0	n/a
Industrial lined	Phase 1, cells 1-6	Inactive	6	500,000	6	0	n/a
Class I Demo unlined	Phase A	Closed	2	25,000	0	2	n/a
Class I Demo unlined	Phase B	Active	5	45,000	2	0	n/a
Class I Demo unlined	Phase C	Proposed	5	100,000	0	0	n/a



### III. Operational information

#### A. Incoming vehicle information

List the vehicle types (i.e., packer trucks, roll-off boxes, private citizen vehicles) using the facility including those that transport special wastes, such as tires or white goods

#### B. On-site equipment

Describe the equipment to be located and used on site at the facility, or the availability and arrangement for use of equipment kept off-site, managing the waste

### IV. Solid waste annual report contact

Provide the name and contact information for the person responsible for annual reporting.

### V. Signature and certification

Minn. R. [7001.0070](#) requires all persons who sign a permit application make a certification statement. Completing this section, fulfils this requirement.

#### A. Engineer

When a firm prepares the necessary reports and plans for a solid waste management facility permit application, Minn. R. [7001.0060](#) sub item F requires a signature from an engineer registered in Minnesota.

#### B. Permittees

Minn. R. [7001.0060](#) also requires the owner and operator sign the permit application. Solid waste permits have the permittees:

- Landowner – is the person or business that owns the property where the facility is located
- Activity owner – is the person or business that owns the solid waste activity
- Operator – is the person or business that operates the facility

### VI. Local acknowledgment

This section is primarily meant to notify the county and local authorities of the applicant's intent so that all county and local ordinances and plans can be met. It is intended to validate that counties and local authorities were properly notified of this permit application for construction and operation. Signature by the county or local authority is not meant to imply approval.

In lieu of completion of this part of the application, the applicant may submit documentation that the applicant has sent appropriate notification to the county and local authorities. Documentation must consist of copies of letters sent to the county and local authorities via certified mail, return receipt requested and copies of the signed return receipt.

#### A. County acknowledgment

This section is to be completed by County Solid Waste Administrator or County Zoning Administrator.

#### B. Local acknowledgment

This section is to be completed by local building or zoning office.

**C. Local approvals**

This section is intended to gather information on the local approvals needed in addition to the MPCA solid waste permit. Please indicate whether or not the local approvals have already been obtained. Please list those that have been obtained and/or explain why they have not been obtained.

Minnesota rules and statutes require local approvals be obtain prior to the issuances of the MPCA solid waste permit. The following sections detail what is required for permits with transfer station and land disposal activities.

**a. Solid waste transfer facilities**

The applicant for a transfer facility or SSOM compost facility must attach copies of all required municipal licenses/approvals, unless the applicant is a municipality. The MPCA will not process an application without these approvals. See Minn. R. [7001.3400](#), item C, or 7001.3375 item L for more details. If no municipal approvals are required, the owner or operator must sign the statement below stating that no municipal approvals are required.

**b. Land disposal facilities**

The MPCA may not issue a permit for a new disposal area or an expansion of an existing disposal area prior to local units of government granting approval. All local approval will need to be obtained prior to issuance of the MPCA solid waste permit for disposal activities. See Minn. Stat. [116.07](#), subd. 4j, item d(1) for more details.