



## Solid Waste Compliance & Enforcement

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# What is a Permit-by-Rule (PBR) Facility

- A Solid Waste Facility as defined under Minnesota Rules 7001.3050
- Deemed to have obtained a solid waste facility permit without making application if certain conditions are met
- Low potential for adverse effects/impact on human health and the environment if properly managed
- Subject to less stringent standards
- Less detailed administrative review
- 8 different types of facilities



# Types of Facilities – *common*

- Recycling
- Transfer Stations
  - Solid Waste, *including MSW and C&D*
  - Source -Separated Organic Materials
- Compost
  - Yard Waste
- Demolition Debris Land Disposal



# Types of Facilities – *uncommon*

- Energy Recovery Facilities – not RDF facilities
- Storage sites for non-sludge wood waste....
- Facilities receiving solid waste from the exploration, mining, milling, smelting, and refining of ores and minerals
- Facilities receiving five tons or less of municipal solid waste combustor ash for the purpose of researching in a laboratory



- Notification form specific to facility type, including submittals
  - Recycling Facilities: Emergency Response Plan/Contingency Action Plan, Site Yearly Inspection Plan, Closure Plan
  - Transfer Stations: Emergency Response Plan/Contingency Action Plan, Site Yearly Inspection Plan, Closure Plan, Industrial Solid Waste Management Plan
  - Compost Facilities: PBR Notification form, County Acknowledgement, Map. The Yard Waste Composting form is on-line and submitted electronically through the MPCA E-Services.
  - Demolition Debris Disposal Facilities: PBR Notification Form
- No application fee

# Notification Requirements

- **County/local representative signature**
- Facility information – physical address
- Location standards – no wetlands, great than 300 feet from a river or stream, 1000 feet from a pond
- Facility Size – acres and/or volume
- Types and quantities of materials managed

# Management at Recycling Facilities

- Prevent surface water drainage through recyclables
- Contain spills/releases
- Remove putrescible materials once a week
- Remove residuals once a month
- Remove all recyclables within 3 years of receipt
- Submit an annual report

# Management at Transfer Stations

- < than 120 cubic yards of waste stored on-site at any given time
- < than 120 cubic yards of waste managed on-site per day
- Source-separated recyclable materials do not count toward volume limitation
- **Submit an annual report**
- Submit an updated notification every 10 years



# Transfer Stations - continued

- Operation Standards
  - Trained employee
  - Facility operations (roads, gates, doors, tipping floor, signage, litter)
  - Equipment maintenance – good working condition
  - Storage (salvage and recyclable materials)
  - Putrescible waste – area cleaned every 7 days
  - Free liquids
  - Management of unacceptable waste

# Source-Separated Organic Facilities

- Operate as a transfer station
- Curb-side collection and self-haul
- Facility classifications
  - Existing yard waste sites or transfer stations
  - Limited collection solid waste transfer facility
  - New facility

# Yard Waste Compost Facilities

- Garden wastes, leaves, lawn cuttings, weeds, and pruning
- Manage odors
- If offered for use: turn to aerate, maintain temp, reduce pathogens
- Inert materials < than 3 % - uncompostable materials at the end of decomposition
- By-products – residuals and recyclables (storage and removal)
- Divert surface water drainage
- No volume limit – *acceptance, storage, or processing*
- Submit an annual report

# Demolition Debris Land Disposal

- Non-putrescible material resulting from the demolition of buildings, roads, and other man-made structures
- Demolition debris only – no asbestos-containing materials
- **< than 15,000 cubic yards can be buried**
- Operate < than 12 consecutive months
- Cannot be located adjacent to another PBR demolition facility.
- Cannot be located within a shoreland.
- **Must meet 5 foot vertical separation from seasonal high groundwater table.**

# Demolition Debris Disposal PBR - continued

- MPCA Certified Landfill Operator is required
- Facility operations – spread, compact, cover the waste
- Design requirements – slope and final cover
- Inspect once a year for settlement and erosion problems
  - between June and September
- 20 years of post-closure care



# Demolition Debris Land Disposal - continued

- Burial must be recorded on property deed
- Pay the Solid Waste Management Tax (\$0.60/cubic yard)

# How to prove 5 foot vertical separation from seasonal high groundwater table – *Dig a test pit*



# Use the USDA Web Soil Survey [www.websoilsurvey.nrcs.usda.gov](http://www.websoilsurvey.nrcs.usda.gov)

The screenshot displays the USDA Web Soil Survey interface. At the top, the USDA logo and "Natural Resources Conservation Service" are visible. A navigation bar includes links for "Contact Us", "Subscribe", "Archived Soil Surveys", "Soil Survey Status", "Glossary", "Preferences", "Link", "Logout", and "Help". Below this, a secondary navigation bar features buttons for "Area of Interest (AOI)", "Soil Map", "Soil Data Explorer", "Download Soils Data", and "Shopping Cart (Free)".

The main interface is divided into several sections:

- Search:** A search bar with a dropdown arrow.
- Area of Interest:** A section with an "Import AOI" button.
- Quick Navigation:** A list of navigation options including "Address", "State and County", "Soil Survey Area", "Latitude and Longitude", "PLSS (Section, Township, Range)", "Bureau of Land Management", "Department of Defense", "Forest Service", "National Park Service", and "Hydrologic Unit".
- Area of Interest Interactive Map:** The central map area, titled "Area of Interest Interactive Map". It includes a "View Extent" dropdown set to "Contiguous U.S." and a "Scale" dropdown set to "(not to scale)". The map shows a satellite-style view of a region in Michigan, with a red line indicating the selected Area of Interest. Labeled counties include Wilkin, Otter Tail, Richland, Grant, Douglas, Traverse, and Todd. Other labels include "Robtway", "Ehhard", "Richville", "New York Mill", "Blus Gra", "Wadena", "Otterbail", "Dear Creek", "Vermdale", "Hanning", "Hawtt", "Bertha", "Parker Prairie", "Eagle Bend", "Fergus Fall", "Vining", "Meiby", "Millerville", "Miltona", "Campbell", "Nashua", "Wandell", "Evanville", "Cano", "Falmouth", "Roberts", "Norron", "Holmes City", and "Oshkosh". A scale bar at the bottom left indicates 10 miles.



# Demolition Projects

- All regulated demolition projects must have an asbestos survey done by a Minnesota Department of Health (MDH) licensed inspector.
- All Regulated Asbestos Containing Material (RACM) must be removed.
- Demolition of a farmstead, including outbuildings and barns, is considered a regulated project.
- There are two exceptions to the survey requirement:
  - A survey is not required on a building that has collapsed naturally or fallen due to an “act of God” (natural disaster).
  - Demolition of a single family home with no other buildings.

# Demolition/Renovation Notification

- The property owner or contractor removing the structure(s) must complete a Demolition/Renovation Notification.
- The notification must be postmarked or received at the MPCA at least 10 working days before demolition begins and is required for all regulated projects.
- The notification form can be found on the MPCA website.

[www.pca.state.mn.us/sites/default/files/w-sw4-21.docx](http://www.pca.state.mn.us/sites/default/files/w-sw4-21.docx)

# Exemptions to Obtaining a PBR

- Small Compost Sites (do not exceed 120 cubic yards of yard waste or food scraps on site at any one time)
- Limited solid waste collection services transfer facility that directly accepts waste from individual residents that self-haul provided that:
  - All waste is managed and stored in containers or roll-off boxes constructed of impervious material
  - No more than 40 cubic yards of waste are stored on-site at any given time and no more than 40 cubic yards of waste are managed on-site per day
  - Removal of waste occurs when the capacity of the container is reached or to prevent nuisance conditions

# Exemptions to Obtaining a PBR - continued

- Recycling Drop-off Sheds, Divided Roll-Off Boxes, Separate Dumpsters, and other containers or structures where:
  - Recyclable materials have been separated from MMSW
  - Total volumes do not exceed 40 cubic yards at any one time
  - Compliance with design requirements, including prevention of surface water drainage through recyclables and residual material, protect the integrity of the recyclables, contain spills and releases

- May be regulated under other MPCA rules – E-waste facilities, junkyards, scrapyards.
- May be regulated by a local ordinance

# Concrete General Permit

- 5 year general permit – effective 2013 and re-issued in 2019
- Only uncontaminated concrete
- Adequately characterize
- **Generated on-site**
- < than 5,000 cubic yards – unless recycling is not feasible
- Site Management – break up to promote drainage, cover with soil

# Concrete General Permit (continued)

- Deed
- Solid Waste Management Tax

# Farm disposal of solid waste (Minn. Stat. § 17.135)

- Allows owners or operators of land used for farming to bury and/or burn and bury without a solid waste permit:
  1. Solid waste generated by the person's household or farm operation; or
  2. Concrete or rebar from a building or structure located on the land used for farming
- Does not apply if regularly scheduled solid waste pickup is available. This can be designated by the county board.



# Farm disposal of solid waste (Minn. Stat. § 17.135)

- Prohibited materials cannot be burned:
  - Rubber
  - Plastic
  - Painted/stained/treated wood
  - Tires
  - Shingles
  - Etc.
- Burning of a structure is only allowed in a legitimate fire training burn conducted by a fire department.

# Farm disposal of solid waste (Minn. Stat. § 17.135)

- Concrete/rebar burial must be recorded on deed of property within 90 days.
- Must include an affidavit containing legal description and map showing location of waste.

Questions?

# Thank you!

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