

**7035.2855 SOLID WASTE STORAGE STANDARDS.**

Subpart 1. **Scope.** The requirements of subparts 2 to 6 apply to owners and operators of facilities that store solid waste, except as part 7035.2525, subpart 2, provides or as otherwise provided in this subpart.

A. Owners and operators of facilities that store solid waste prior to its beneficial use in accordance with part 7035.2860 must meet the standards in subparts 2, 6, and 7 and are exempt from subparts 3, 4, and 5. If any portion of the solid waste stored at a given location is not beneficially used the storage standards in subparts 2 to 6 apply. Solid wastes stored in Minnesota prior to beneficial use in another state that are not the subject of a beneficial use determination under part 7035.2860, subpart 4 or 5, must submit the following information to the agency prior to use of the storage facility using the beneficial use criteria:

- (1) information required by part 7035.2860, subpart 5, items A, B, and H; and
- (2) verification that the standards for beneficial use in the state where the beneficial use is occurring are being met and the name, address, and telephone number of that state's contact person.

B. Facilities that store only waste tires are exempt from this part.

C. The owner or operator of a facility where solid waste is stored inside or within a structure so that neither runoff nor leachate is generated and no liquid wastes or wastes with free liquids are added to the storage area, is not subject to subparts 3 and 4, or part 7035.2565 if:

- (1) the storage area is protected from surface water run-on by the structure or in some other manner;
- (2) the storage area is designed and operated to control dispersion of the waste by wind by means other than wetting; and
- (3) the solid waste will not generate leachate or gases through decomposition or other reactions.

D. Owners and operators of facilities permitted for the processing of construction debris and demolition debris for the primary purpose of extracting recoverable portions of the waste stream for beneficial use and recycling must meet the storage standards in subparts 2, 6, and 7. These facilities are exempt from the standards in subparts 3, 4, and 5 provided that the materials that cannot be accepted for disposal at a demolition debris land disposal facility such as asbestos, caulk tubes, waste paint, waste solvents, glues, tars, adhesives, and mixed municipal solid waste are removed from the waste within 48 hours of delivery to the facility.

Subp. 2. **Locational requirements.** Locational requirements are as follows:

- A. The locational standards in part 7035.2555 must be met.
- B. The storage area must not be located in an area characterized by karst features, including sinkholes, caves, and disappearing streams.

C. The storage area, including any underlying liner, must be located entirely above the high water table.

Subp. 3. **Design and operation requirements.** The design and operation requirements of a solid waste storage area are as follows:

A. A storage area must have a liner that is designed, constructed, and operated to prevent any migration of waste or leachate into the adjacent subsurface soil, ground water, or surface water at any time during the active life, or the closure period, of the facility. The liner must:

(1) be constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients, including static head and external hydrogeologic forces, physical contact with the waste or leachate to which it is exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(2) have a permeability no greater than  $1 \times 10^{-7}$  centimeters per second and if constructed of natural soils be at least two feet thick;

(3) be placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner; and

(4) be installed to cover all earth that may contact the waste or leachate.

B. The storage area must have a leachate collection and removal system that is designed, constructed, maintained, and operated to collect and remove leachate from the area. The leachate depth over the liner must not exceed one foot. The leachate collection and removal system must be:

(1) constructed of materials that are chemically resistant to the waste managed in the storage area and the leachate expected to be generated, and are of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying wastes, waste cover materials, and any equipment used at the site; and

(2) designed and operated to function without clogging through the scheduled closure period.

C. The owner or operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the storage area during peak discharge from at least a 24-hour, ten-year storm.

D. The owner or operator must design, construct, operate, and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, ten-year storm.

E. Collection and holding facilities, such as tanks or basins, associated with the run-on and run-off control systems must be emptied or otherwise managed after storms to maintain the design capacity of the system.

F. If the storage area contains any particulate matter that may be subject to wind dispersion, the owner or operator must cover or otherwise manage the waste to control wind dispersion.

Subp. 4. **Inspection of liners.** Requirements for the inspection of liners are as follows:

A. While the storage area is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

(1) deterioration, malfunctions, or improper operation of run-on and run-off control systems;

(2) the presence of leachate in and proper functioning of leachate collection and removal systems; and

(3) improper functioning of wind dispersal control systems.

B. The waste in the storage area must be removed at least annually. When the waste is removed, the liner must be inspected for deterioration, cracks, or other conditions that may result in leaks. The frequency of inspection must be specified in the inspection schedule required in part 7035.2535, subpart 4, and must be based on the potential for the liner and base to crack or otherwise deteriorate under conditions of operation, such as waste type, rainfall, loading rates, and subsurface stability. The inspection must include a view of the liner for failures due to puncture, cracking, tearing, or other physical damage from equipment used to place waste in or on the pile or to clean and expose the liner surface for inspection.

C. If deterioration, cracks, or other conditions are identified as causing or capable of causing a leak, the owner or operator must notify the commissioner of the condition in writing within seven days after detecting the condition and:

(1) repair or replace the liner and obtain a certification from an engineer registered in Minnesota that the liner has been repaired and leakage will not occur; or

(2) comply with the requirements of part 7035.2615 within the time period specified in the permit.

Subp. 5. **Construction inspection.** Construction inspection requirements are as follows:

A. Liner and cover systems must be inspected during construction or installation for uniformity, damage, and imperfections. Immediately after construction or installation:

(1) synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters; and

(2) soil based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes, material variability, or other structural nonuniformities.

B. The construction of the liner must be certified by an engineer registered in Minnesota in compliance with the approved plans and specifications.

Subp. 6. **Closure.** At closure, all solid waste and contaminated portions of the storage area must be removed and properly disposed of or recycled.

Subp. 7. **Storage of solid waste prior to beneficial use.** Owners or operators of facilities used for solid waste storage prior to its beneficial use must comply with the requirements in items A to F.

A. Prior to operation of a storage facility, owners and operators must obtain a written certification from an engineer licensed in Minnesota stating that the storage facility is designed and constructed to meet the requirements of this part. A copy of this certification must be maintained on file by the owner or operator and made available to the agency upon request.

B. Prior to operation of a storage facility, the owner or operator of the facility must evaluate the potential for migration of contaminants into adjacent subsurface soil, groundwater, or surface water from the stored solid waste. This evaluation must take into consideration the characteristics of the solid waste, the quantity of solid waste to be stored, and the length of time the solid waste will be stored. Based on this evaluation, the owner or operator of the facility must design, construct, and operate the storage facility to meet the requirements in subitems (1) to (3):

(1) Migration of contaminants into the adjacent subsurface soil, groundwater, or surface water at any time during the active life, or the closure period, of the facility must be prevented.

(2) Run-on and runoff of stormwater must be controlled. The owner or operator must implement management practices designed to control run-on and runoff of stormwater from the storage area. In cases where solid waste will be stored continuously or intermittently at the same location, the owner or operator must design, construct, operate, and maintain a stormwater management system capable of collecting and controlling the volume of contaminated stormwater resulting from a 24-hour, 25-year storm unless otherwise directed by the agency.

(3) Collection and holding facilities, such as tanks or basins, associated with the run-on and runoff control systems must be managed to maintain the design capacity of the system. Disposal of wastes and wastewaters generated from these facilities must be managed appropriately.

C. The maximum quantity of solid waste stored at any one location at any given time is limited to a reasonable quantity based on the type of waste and its end use. A reasonable quantity is the amount of solid waste needed for completion of the projects for which it is being accumulated. Records must be kept that verify that the quantity of solid waste stored at any one location does not result in accumulation of solid waste in quantities that exceed its use.

D. The solid waste must not be stored at any one location for more than three years without being processed or utilized.

E. If the storage area contains any particulate matter that may be subject to wind dispersion, the owner or operator must cover or otherwise manage the waste to control wind dispersion.

F. Nuisance conditions resulting from the storage of solid waste must be controlled and managed by the facility owner or operator.

**Statutory Authority:** *MS s 115.03; 116.07*

**History:** *13 SR 1150; 28 SR 1086*

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