

**7035.2870 SOLID WASTE TRANSFER FACILITIES.**

Subpart 1. **Scope.** The requirements of this part apply to the owners or operators of transfer facilities operating under a permit or in extended permit status, or as otherwise provided in this chapter or chapter 7001. In addition, permitted facilities must comply with the conditions in their permits. Nothing in this part relieves the owner or operator of the duty to comply with other applicable requirements, including, but not limited to, local ordinances or codes.

Subp. 2. **Delivery of solid waste.** No waste may be transported from a transfer facility unless the owner or operator has reasonable belief that the person or facility receiving the waste may lawfully do so under applicable federal, state, or local rules. Reasonable belief means that the owner or operator has verified that the person or facility receiving the waste holds a valid license, permit, or other approval, or that no such approval is required.

Subp. 3. **Applicability.** This part applies to the applicability of design requirements for transfer facilities operating and accepting waste under a permit issued under parts 7001.0010 to 7001.0200 prior to November 30, 2005. The design requirements of subpart 4 do not apply to a facility constructed prior to November 30, 2005, unless the owner or operator intends to make a major modification to the facility. In that case, the design requirements in subpart 4 apply to all modified portions of the facility, unless otherwise provided in the agency permit. The commissioner shall require compliance with the design requirements in subpart 4 unless the owner or operator demonstrates that the existing facility design is adequately protective of the environment considering the change in waste volume, type, or other operating parameters.

Subp. 4. **Design standards.** An owner or operator of a permitted transfer facility must ensure that all buildings and roads are designed and constructed in accordance with this subpart, unless exempt under subpart 3.

A. The waste transfer or tipping floor area must have adequate capacity for the projected through-put and storage of waste and other materials, including recyclables and unacceptable materials. The area must be adequate to support activities related to the segregation of recyclable, processable, and unacceptable materials from waste.

B. Intrafacility roads must be all-weather and suitable for the volume and types of collection vehicles or other transportation equipment that will be used to move waste from the entrance gate to loading and unloading areas. The vehicle and equipment traffic areas must bear the expected frequency and weight of vehicles and equipment navigating the surface without failure. Downward sloped vehicle ramps must be less than a ten percent grade, and upward sloped vehicle ramps shall be less than a six percent grade, unless the commissioner approves an alternative design in the permit. The commissioner shall approve an alternative design if the owner or operator demonstrates that fully loaded vehicles can utilize the ramps without compromising safety. Roadway widths, number of lanes, and turning radii must be adequate considering the design traffic volume and vehicle types expected to use the facility.

C. The facility must include an area designed for the storage of bulky items such as mattresses and large appliances, if accepted. The facility must also include an area where

unacceptable materials may be safely stored in compliance with applicable standards prior to removal from the facility.

D. If the facility will use walls, pushwalls, or barriers for the management or containment of waste, the structures must be designed so that failure will not occur, taking into account the type of waste, bearing pressure, and the method of operation, including the equipment that will be used to move waste at the facility.

E. The facility must be designed to control litter.

F. The facility must include access control structures such as gates to prevent unauthorized access during hours when the facility is not open.

G. Noncontainerized waste stored outdoors must be stored in an area that meets the solid waste storage standards in part 7035.2855.

H. If waste management activities will take place within a structure, the structure must meet the following criteria:

(1) the minimum interior clearance height must be 28 feet, unless the commissioner approves a different height based on the equipment that is anticipated to be used at the facility during its expected life;

(2) the building door must be a minimum width of 16 feet and a minimum height of 25 feet to allow safe passage of traffic exiting or entering the facility in the unloaded position, unless the commissioner approves a different dimension based on the equipment that is anticipated to be used at the facility during its expected life;

(3) the facility must include floors constructed of high strength concrete capable of bearing 5,000 pounds per square inch as verified by ASTM C 1074-98, ASTM C 39/C 39M-01, or an equivalent test method, unless the commissioner approves an alternative design in the permit. The commissioner shall approve a floor consisting of lower strength concrete provided the owner and operator demonstrate that its durability is consistent with the operational goals of the facility;

(4) the facility floor must include floor joints adequate to prevent cracking of the slab, but floor joints using compressible filler must be minimized and located so as to prevent joint deterioration and release of leachate through the compressible filler. The floor must be treated to increase durability and extend wear life by using a concrete hardener or other accepted methods that decrease water absorption and increase compressive strength and curing time (see ASTM C 642-97, ASTM C 140-02a, and ASTM C 309-98a);

(5) all surfaces coming into contact with waste must be constructed of a material that is readily cleanable;

(6) if a periodic facility wash-down is specified or identified under the facility's approved operation and maintenance plan, the facility floor must include a trap to collect solids and a sump that has been adequately sized to collect and contain liquids at the facility;

(7) all floors must be sloped such that free moisture from the waste operations is confined to the tipping floor and liquids applied to the surface for cleaning purposes can be collected for treatment or disposal from the tipping floor or from the sump, if present; and

(8) stormwater must be routed away from the structure through the use of a leakproof roof, adequate gutters and down spouts, and the building apron must be graded to promote positive drainage away from the building.

American Society of Testing and Materials (ASTM) methods C 1074-98, C 39/C 39M-01, C 642-97, C 140-02a, and C 309-98a, as amended, are incorporated by reference in this subpart. These methods are published in the Annual Book of ASTM Standards: Section 4, Construction, Volume 04.02, Concrete and Aggregates, 2003 Edition and Volume 04.05, Chemical-Resistant Nonmetallic Materials; Vitrified Clay Pipe; Concrete Pipe; Fiber-Reinforced Cement Products; Mortars and Grouts; Masonry; 2003 Edition. This publication is available through the Minitex interlibrary loan system or through ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959, and the methods are not subject to frequent change.

**Subp. 5. Operation standards.** The owner or operator of a permitted transfer facility or a transfer facility operating under a permit-by-rule as provided in part 7001.3050, subpart 3, item A, must comply with the operational standards in this subpart. For existing transfer facilities subject to this subpart, the owner or operator must comply with this subpart no later than 180 days after the effective date of this part. The owner or operator of a new facility subject to this subpart must comply before accepting waste. The following are the operational standards:

- A. roads, gates, doors, and tipping floor areas must be clear of obstructions at all times;
- B. an employee who has received training as required by part 7035.2545 must be on duty at all times the facility is open for the purposes of receiving waste;
- C. all industrial waste or mixed municipal solid waste at the facility must be transferred or stored in (1) a completely enclosed structure, (2) containers constructed of impervious materials and designed to prevent leakage, or (3) in a designated solid waste storage area meeting the storage standards of part 7035.2855;
- D. if the facility has operating doors, they must remain closed except when vehicles are expected to be entering or leaving the facility, and as necessary to minimize odors, noise, and litter;
- E. all equipment and the facility must be maintained in good working condition. Routine maintenance must be conducted in accordance with the operations and maintenance plan submitted with the permit application under part 7001.3400 or amendments submitted with the notification under part 7001.3410, subparts 1 and 2. The owner or operator must keep records of maintenance performed at the facility or on facility equipment;
- F. all solid waste shall be confined within the tipping floor area or other designated processing and storage areas;
- G. all separated salvageable and recyclable materials must be containerized or stored in a designated area where they will not be contaminated by solid waste or other materials. All separated

salvageable and recyclable materials must be removed from the facility when the capacity of the container or designated area is reached;

H. if the facility accepts putrescible industrial waste or mixed municipal solid waste, the tipping floor and storage areas must be cleared of waste and cleaned at least once every seven days unless no waste has been received at the facility during the preceding seven-day period. For facilities that do not accept putrescible industrial waste or mixed municipal solid waste, the tipping floor and waste storage areas must be cleared and cleaned at least once every 30 days;

I. a sign must be posted that is visible to persons using the facility prior to entry that lists the wastes that are or are not accepted at the facility, its hours of operation, a number to call for assistance with disposal of items that are not accepted at the facility, and the agency permit number or agency-assigned permit-by-rule facility identification number;

J. the facility grounds and immediately adjacent property shall be free of litter stemming from facility operations. If litter is found on adjacent property, the operation of the facility shall be modified as necessary to prevent further litter generation by making physical or operational changes. The facility grounds shall be cleared of all litter at least once every seven days;

K. the facility must be managed in compliance with:

(1) the national pollutant discharge elimination system permit requirements located in parts 7001.1000 to 7001.1100; and

(2) part 7011.0150 to prevent particulate matter from becoming airborne;

L. in the event of breakdowns or malfunctions in facility equipment or structures, the owner or operator shall purchase or lease replacement equipment or make repairs as necessary to ensure compliance with this subpart;

M. the owner or operator shall post local fire and police department contact information and arrangements listed in the emergency response plan required under part 7035.2595 in a conspicuous area of the facility accessible by all employees;

N. the plans and schedules listed under part 7001.3410, subpart 1, item D, including all updates as required in part 7001.3410, subpart 2, shall be maintained at the facility site so they are available for employees and inspectors;

O. free liquids that have contacted waste may not be discharged as stormwater and must be managed in accordance with law. Acceptable management methods for free liquids that have contacted waste include recapture and redeposit in the waste being managed at the facility provided that the free liquid will be reabsorbed by the waste, absorption of the free liquids using an absorbent material and disposal of that absorbent material with the waste, or discharge to a sanitary sewer if authorized by a publicly owned treatment works as defined by part 7001.1020, subpart 27. If a building is equipped with a trap, the trap must be cleaned of waste each time the facility tipping floors and storage areas are cleaned. If a building is equipped with a sump, the liquid must be removed from the sump before reaching capacity, or more often as necessary to prevent odors;

P. all unacceptable waste inadvertently received at the facility must be properly managed in accordance with applicable standards; and

Q. once a facility is no longer open for the purposes of receiving waste during an operating day, all putrescible waste remaining at the facility must be:

- (1) properly disposed of;
- (2) stored in an enclosed structure; or
- (3) stored in containers constructed of impervious materials and designed to prevent leakage and to prevent precipitation, insects, and other vectors from coming into contact with the waste.

**Statutory Authority:** *MS s 116.07*

**History:** *30 SR 529*

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