

7001.3111 ADDITIONAL SITING REQUIREMENTS FOR CERTAIN LANDFILLS THAT HAVE NOT RECEIVED A PERMIT BEFORE JANUARY 1, 2011.

Subpart 1. **Applicability.** In addition to the requirements of this chapter and chapter 7035, after January 1, 2011, an applicant for a solid waste land disposal facility permit that is not a contiguous expansion of a permitted facility or a noncontiguous expansion within 600 yards of a permitted facility must demonstrate to the commissioner that the facility meets the additional requirements of this part, unless that facility will accept only demolition and construction debris and incidental packaging or that facility will accept only industrial waste that is limited to wood, concrete, porcelain fixtures, shingles, or window glass resulting from the manufacture of building materials.

Subp. 2. **Site evaluation.** The applicant must comply with parts 7001.3175, 7001.3200, and 7001.3275.

Subp. 3. **Siting standards.** The applicant must demonstrate to the commissioner using testable or otherwise objective data that the proposed landfill site meets the criteria in item A or B and the criteria in items C and D. The applicant must provide a certification for site and groundwater conditions from a professional geologist licensed in Minnesota and a certification for structural conditions from a professional engineer licensed in Minnesota.

A. The predicted minimum time of travel of groundwater contaminants from the proposed landfill's base grade to an approvable proposed compliance boundary is at least 100 days.

B. Groundwater flow is known in sufficient detail to allow monitoring for potential contaminant releases, and site and groundwater conditions would allow the owner/operator sufficient space and time to implement corrective actions to prevent contaminants released from the landfill from exceeding applicable standards at a compliance boundary.

C. No karst exists within 200 feet laterally of the proposed waste fill area.

D. At sites where carbonate bedrock exists, either of the following conditions are met within the area of the compliance boundary:

(1) more than 50 feet of undisturbed, unconsolidated overburden has been maintained prior to construction of the landfill so that karst is not likely to develop; or

(2) based on the site evaluation in subpart 2, employing field techniques approved by the commissioner, the commissioner finds that karst is not likely to develop and the site will support the proposed landfill structure.

Statutory Authority: *MS s 116.07*

History: *36 SR 1047*

Published Electronically: *March 12, 2012*