

7035.2825 DEMOLITION DEBRIS LAND DISPOSAL FACILITIES.

Subpart 1. **Scope.** The requirements of subparts 2 to 6 apply to owners and operators of demolition debris land disposal facilities granted permit-by-rule status under part 7001.3050, subpart 3. The requirements of subparts 7 to 14 apply to owners and operators of demolition debris land disposal facilities required to obtain a permit under part 7001.3050.

Subp. 2. **Location standards for permit-by-rule facilities.** Demolition debris land disposal facilities permitted-by-rule must not be located:

- A. on a site with karst features including sinkholes, disappearing streams, and caves;
- B. within wetland areas;
- C. within a floodplain area;
- D. within a shoreland area; and
- E. with a water table within five feet of the lowest fill elevation.

Subp. 3. **Design requirements for permit-by-rule facilities.** Demolition debris land disposal facilities permitted-by-rule must be designed in the following manner:

A. Site preparation must allow for orderly development of the site. Initial site preparations must include clearing and grubbing, topsoil stripping and stockpiling, fill excavation, if appropriate, drainage control structures, and other design features necessary to construct and operate the facility.

B. The site must be developed in phases to achieve final fill elevations as rapidly as possible. The design of each phase must take into account weather conditions, site drainage, and the waste flow pattern into the site.

C. Surface water drainage must be diverted around and away from the fill areas.

D. Slopes and drainageways must be designed to prevent erosion. Slopes longer than 200 feet must be interrupted with drainageways.

E. Final slopes for the fill area must be a minimum two percent and a maximum 20 percent.

F. Final cover must consist of at least two feet of soil with the top 12 inches capable of sustaining vegetative growth.

G. Final contours must be consistent with the planned ultimate use for the site.

Subp. 4. **Operation and maintenance requirements for permit-by-rule facilities.** A demolition debris land disposal facility must be operated by a certified operator in accordance with parts 7048.0100 to 7048.1300. The certified operator must be present

during the time the facility is open to accept waste. The facility operations must meet the following requirements:

- A. The waste must be spread and compacted to the extent possible.
- B. The waste must be covered at least monthly.
- C. Suitable cover material must be maintained at the site.
- D. Each phase must be staked for proper grading and filling.
- E. A minimum separation distance of 50 feet must be maintained between the fill boundaries and the site property line.
- F. Only demolition debris may be placed in the fill area.
- G. Waste at the site must be stored in accordance with part 7035.2855.

Subp. 5. **Closure and postclosure care for permit-by-rule facilities.** The owner or operator must close each phase as it reaches final waste elevations. The cover must consist of at least two feet of soil capable of sustaining vegetative growth and minimizing erosion. After closure, the site must be inspected at least once each year between June and September for settlement and erosion problems. All problems at the site must be corrected within 30 days of the inspection. A site closure record must be completed after closure and submitted to the commissioner. A notation must also be placed on the property deed indicating the site use and location of the waste.

Subp. 6. **Notification of permit-by-rule facilities.** The owner or operator of an existing demolition debris land disposal facility shall submit a letter notifying the commissioner of the facility's existence within 30 days after November 15, 1988. The owner or operator of a new facility shall submit such a letter before operations begin. The notification must include the initial date of operation, the type of waste accepted, the capacity of the site, the location of the site, the users of the facility, and the expected date of closure.

Subp. 7. **Location standards for permitted facilities.** The owner or operator of a permitted demolition debris land disposal facility must not locate the facility on a site:

- A. with active karst features including sinkholes, disappearing streams, and caves; or
- B. where the topography, geology, or soil is inadequate for protection of ground or surface water.

Subp. 8. **Design requirements for permitted facilities.** The owner or operator of a permitted demolition debris land disposal facility must include the following items in the facility design.

A. Specifications for the site preparation must be included in the permit application completed in accordance with part 7001.3300. Site preparation must allow for the orderly development of the facility. Site preparation specifications must address clearing and grubbing, topsoil stripping and storage, cover material excavation, drainage control structures, and all other design features needed to prepare the site for operation.

B. The site must be developed in phases. Each phase must contain individual cells that will provide for filling to final waste elevations. The owner or operator must consider seasonal differences in weather and amount of waste received in determining the length and size of each phase. The owner or operator must bring each phase to the final waste elevations shown on the ultimate development plans and the approved facility closure plan.

C. Surface water drainage must be diverted around and away from the site operating area. The drainage control system must take into consideration the expected final contours, site drainage pattern, the need for temporary structures, and other site conditions that might affect site operations.

D. Slopes and drainageways must be designed to prevent erosion. Slopes greater than 200 feet must be interrupted with diversion drainageways.

E. The final contours of the fill area must be a minimum two percent and a maximum 20 percent slope.

F. A cover system must be included in the facility design and must meet the requirements of subpart 11.

G. The design must address the need and the specifications developed for a water monitoring system.

Subp. 9. **Operation and maintenance requirements for permitted facilities.** An operator certified under parts 7048.0100 to 7048.1300 must be present at the facility during operating hours. The facility operations must meet the requirements of items A to K, at a minimum.

A. All wastes must be completely covered on a monthly basis, at a minimum, unless the commissioner requires a different frequency of cover based on the wastes accepted, site operations, and site conditions.

B. All wastes must be spread and compacted.

C. Suitable cover material must be maintained at the site. If suitable cover is not available on-site, cover material must be delivered to and stockpiled at the site.

D. Each fill phase, upon reaching final waste contours, must be covered in accordance with subpart 11.

E. Each fill phase must be staked for proper grading and filling.

F. The facility must be constructed, operated, and maintained to promote surface water run-off without erosion.

G. Surface water drainage must be diverted around and away from the active portion of the facility.

H. A minimum separation distance of 50 feet must be maintained between the fill boundaries and the property line.

I. Corrective actions must be implemented to repair any conditions not in compliance with parts 7035.2525 to 7035.2605.

J. Sampling and analysis of ground or surface water must be completed in accordance with subpart 12.

K. The disposal area must be surveyed annually prior to November by a land surveyor registered in Minnesota. An updated plan shall be submitted with the annual report required in part 7035.2585. The plan must show the elevations of completed fill areas, partially filled areas, and all pertinent structures.

Subp. 10. **Hydrogeologic evaluation.** If a hydrogeologic evaluation is required, the hydrogeologic evaluation must determine the types of soils found on-site, the depth to water, and the general geologic setting. Soil borings must be completed in accordance with part 7035.2815, subpart 3. The commissioner shall base the decision to require a hydrogeologic evaluation on the waste to be disposed of in the facility, the amount of waste disposed of, the size of the facility, known soil conditions, and the known hydrogeologic conditions at the site.

Subp. 11. **Cover design.** The cover system must be designed and maintained to prevent erosion of surface and side slopes due to surface water, reduce wind erosion, minimize particulate matter, retain slope stability, and maintain vegetative growth, as appropriate. The cover system must consist of a final cover as outlined in items A to C.

A. The final cover must be compatible with the intended end use of the site.

B. The final cover must be capable of sustaining vegetative growth, as appropriate.

C. The final cover must contain materials consistent with the overall site design.

Subp. 12. **Water quality monitoring.** The commissioner may require water quality monitoring for a permitted demolition debris land disposal facility based on the types of waste accepted, site location, site hydrogeology, length of operating life, size of facility,

past and existing operational practices, and potential for human health or environmental harm.

Subp. 13. **Financial assurance.** The commissioner may require the owner or operator of a permitted demolition debris land disposal facility to obtain financial assurance for the proper operation, closure, postclosure care, and corrective actions at the facility. The commissioner's determination shall be based on the size, site hydrogeology, operating life, past and existing operational practices, and types of waste accepted at the facility.

Subp. 14. **Closure and postclosure care of permitted facilities.** The owner or operator must close each phase and the entire facility in compliance with the closure and postclosure care plans developed under parts 7035.2625 to 7035.2655.

Statutory Authority: *MS s 115.03; 116.07*

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