

**7037.1000 CRITERIA FOR LAND TREATMENT SITES.**

Subpart 1. **Operational limits.** To be operated as a land treatment site under this chapter, a site must operate within the following criteria:

A. no more than 1,500 cubic yards of petroleum contaminated soil may be accepted for treatment;

B. no other land treatment site currently in operation or that has been operated within the past five years may be located within a radius of one-quarter mile, unless the total volume of the proposed land treatment site and any land treatment site within a one-quarter mile radius is less than 1,500 cubic yards; and

C. spreading or storage of petroleum contaminated soil may only occur until November 1 of the year following the date of the first letter of approval issued under part 7037.1300.

Subp. 2. **Filter strips.** A land treatment site must have a downgradient filter strip with a minimum width of 50 feet if the land treatment site is within 500 feet of any of the following:

A. the ordinary high water level of either a trout stream designated by the Department of Natural Resources Commissioner's Order No. 2294 or a trout lake designated by the Department of Natural Resources Commissioner's Order No. 2443;

B. the ordinary high water level of any outstanding resource value water as defined in part 7050.0180, subpart 2, item A; and

C. any intermittent stream, drainage ditch, or tile drainage inlet which directly outlets to a trout stream, trout lake, or outstanding resource value water, as referenced in this subpart.

The filter strip must otherwise be designed according to, or equivalent to, Soil Conservation Service standard 393 (USDA-SCS-MN, April 1986).

Subp. 3. **Run-on prevention.** A land treatment site must have adequate controls to minimize run-on. If necessary, the owner or operator shall take measures to minimize run-on, including construction of a diversion upgradient of the land treatment site that is designed according to, or equivalent to, Soil Conservation Service standard 362 (USDA-SCS-MN, July 1989) or cropping of the land upgradient of the treatment site prior to spreading and incorporation of petroleum contaminated soil.

Subp. 4. **Slope.** No portion of a land treatment site may have a slope greater than six percent.

Subp. 5. **Treatment zone characteristics.** The treatment zone at a proposed land treatment site must meet the technical criteria of items A and B.

A. The native soil must meet the criteria in the following table for minimum organic matter concentration in the upper eight inches of native soil and minimum total thickness of soil within the treatment zone with the specified permeability.

Minimum organic matter (percentage)	Minimum total thickness of soil with a permeability less than 6 inches per hour (feet)	Minimum total thickness of soil with a permeability less than 0.6 inches per hour (feet)
2	4	3
4	3	2

The native soil characteristics must be determined using the method given in parts 7037.3200 and 7037.3300. The total thickness of soil with the specified permeability is a sum of the thicknesses of the layers or horizons of soil with the specified permeability within the treatment zone.

B. The land must be capable of being tilled.

Subp. 6. **Storage areas.** A storage area at a proposed land treatment site must not be located in the area prohibited for land treatment sites as provided in part 7037.0900. A storage area must be established on a location that meets the criteria for land treatment sites as provided in subparts 2 to 4, and the location must either have a native soil that meets the criteria of subpart 5, item A, or be established on an impervious surface or a synthetic liner of 40 mil thickness or greater.

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

**History:** *17 SR 2914*

**Published Electronically:** *November 3, 1998*