Physical Development Division
Steven C. Mielke, Director

Dakota County
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Environmental Resources
Land Conservation
Groundwater Protection
Vermillion River Watershed
Waste Regulation
Water Resources
Environmental Initiatives

Office of Planning

Operations Management
Facilities Management
Fleet Management
Parks

Transportation
Highways
Surveyor's Office
Transit Office

DATE: July 24, 2018

TO: Kathy Bodmer, AICP; Planner, City of Apple Valley Community Development

FROM: John Exner; Environmental Specialist, Dakota County Environmental Resources Department J.E.

SUBJECT: Dakota County Residential Organics Drop Off Interim Use Permit Request, Supplemental Information, PC18-18-IUP

Ms. Bodmer:

Thank you for the opportunity to discuss the residential organics drop-off program and Interim Use Permit request at the July 18, 2018, public hearing hosted by the City of Apple Valley Planning Commission.

Enclosed, please find supplemental information in response to comments made during the public hearing that includes the following:

- Memorandum with attachments regarding Environmental Assessments from Georg T. Fischer, Environmental Resources Department Director
- Western Service Center Lighting Plan – please note there have been no changes to the original plan approved by the City of Apple Valley, with the exception of converting to LED fixtures earlier this year.
- County Site Selection Worksheet and Map

We look forward to the upcoming Planning Commission meeting on August 1, 2018. Please contact me if you have any questions or request further information.

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DATE: July 20, 2018

TO: Tom Melander, Chair, City of Apple Valley Planning Commission

FROM: Georg T. Fischer, Environmental Resources Department Director

SUBJECT: Dakota County Residential Organics Drop Off IUP- PC18-18-IUP and Environmental Assessments

Mr. Chair:

This memorandum is intended to address comments made by Apple Valley city staff during the July 18, 2018 Public Hearing to consider Dakota County's request for an Interim Use Permit for a Residential Organics Drop Site at the Western Service Center.

During the Public Hearing, city staff asserted that siting an organics drop site at the Western Service Center "(b)ecomes an impediment to any adjacent property owner" due to the identification of the drop site on Environmental Assessment documents and that "Because its unusual, it becomes noted and because it is noted it becomes part of the record, and because it becomes part of the record it effects the evaluation of that property for purchase of use". This assertion is not accurate.

Source separated organics material drop sites that are not affiliated with existing permitted solid waste facilities are considered "limited solid waste collection service transfer facilities" and regulated under Minnesota Rules, 7001.3050, subp 2, item I (see MPCA Fact Sheet-Attachment 1). These sites are exempt from permitting as a solid waste facility. The proposed site would not be listed by the Minnesota Pollution Control Agency as a solid waste disposal site and will not be identified in Environmental Assessments for adjacent properties. Therefore, approval of the proposed organics material drop site would not result in any impediments to the sale of adjacent properties as the result of an Environmental Assessment.

Environmental Assessments are used to identify Recognized Environmental Conditions (REC's) so that a party may avoid liability for environmental contamination on a property they seek to purchase. This is accomplished by conducting a due diligence assessment that meets the "all appropriate inquiry" requirement in federal Superfund law. REC's are defined as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property". These conditions are typically identified by a review of federal and state records including the following:

- Federal National Priorities (NPL) list
- Federal Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) list

- Federal CERCLIS No Further Remedial Action Planned (NFRAP) Site list
- Federal Resources Conservation and Recovery Act (RCRA) CORRACTS list – hazardous waste facilities subject to corrective action under RCRA
- Federal RCRA Transportation, Storage and Disposal (TSD) Facilities list
- Federal RCRA hazardous waste generator list
- Federal Emergency Response Notification System (ERNS) list
- State List of hazardous waste sites identified as needing investigation or remediation
- State equivalent of NPL
- State equivalent of CERCLIS
- State landfill and/or solid waste disposal sites
- State leaking UST lists
- State registered UST list
- Local records may also be reviewed

As indicated, the proposed organics drop site would not appear on any of these lists, and therefore would not be an issue identified on an Environmental Assessment. The Dakota County Environmental Resources Department is routinely asked to provide information for use by consultants in developing Environmental Assessments for properties in Dakota County. An example of such a product and the types of facilities that are identified, using the Apple Valley City Hall as an example, is provided in Attachment 2. Sites that do appear include numerous hazardous waste generators, underground storage tanks, and previously identified contaminated sites.

A summary of the pertinent Statute and Rule language related to source separated organic material drop-off sites is provided in as part of Attachment 1. The proposed Residential Organics Drop Site at the Western Service Center has been designed to achieve compliance with all of these statutes and rules.

Attachments:

1. Source separated organic materials drop sites, Minnesota Pollution Control Agency, June 2017.
2. Environmental Review Map: Apple Valley City Hall

MINNESOTA POLLUTION CONTROL AGENCY

www.pca.state.mn.us

Source separated organic material drop-off sites

Aside from a limited number of curbside programs, much of the current interest in collecting source separated organic material (SSOM) is on a small scale, and in situations where residents are self-hauling material to a single collection point. These collection sites are not compost facilities, but serve as a place to consolidate SSOM so it can be efficiently transported to a compost facility. These sites are called Source Separated Organic Material Collection Sites by the Minnesota Pollution Control Agency (MPCA), but are often referred to as "organics drop-off sites" or by similar names in local programs.

SSOM collection sites are transfer stations based on the definition in Minn. Stat. 115A.03, subd. 33, which states that: *"Transfer Station" means an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility.*

SSOM collection sites may be co-located at existing solid waste facilities, such as yard waste composting facilities (which may not compost food waste onsite), recycling facilities, and transfer stations. Other collection sites may be stand-alone, such as in a public park. The process for setting up an SSOM collection site depends on where it is located. The instructions for each of the two types of facilities are below.

Drop-off sites at existing permitted solid waste facilities

Existing permitted facilities, such as transfer stations or yard waste sites, are potential sites for the temporary collection and transfer of SSOM. Some of these facilities operate under a Permit-by-Rule (PBR), while others have full permits. An annual report is required from all of these facilities.

If a facility that currently has a solid waste PBR or permit through the MPCA would like to add SSOM collection as an activity at their facility, they shall do the following:

Facilities with a PBR

Complete the *Source Separated Organic Materials Transfer Facility PBR Notification* form (document number w-sw3-42).

Submit the form to:
Solid Waste Permit Document Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Facilities with a Permit

Contact a permit engineer at the MPCA to discuss the modification needed.

Drop-off sites in other locations

Many SSOM collection sites will not be affiliated with an existing facility such as a yard waste composting facility, recycling facility, or transfer station but will fit the definition of a *limited solid waste collection services transfer facility.* These facilities are regulated under Minn. R. 7001.3050, subp. 2, Item I. These organics drop sites exist in areas like parks, or in an enclosure in a parking lot or other similar locations.

These facilities are required to:

- Only accept material from residents who self-haul.
- Meet locational standards established in Minn. R. 7035.2555 and comply with local zoning requirements.
- Meet capacity and storage standards (under 40 cubic yards of material onsite at any given time and per day, stored in an impervious container). *Due to the nature of SSOM and the potential for nuisance conditions at larger volumes, the MPCA recommends that limited solid waste collections services transfer facilities maintain a capacity of 10 cubic yards or less on site at any given time.*
- Transport SSOM to a licensed, permitted, or otherwise approved facility.
- Notify the county's Solid Waste Administrator prior to establishing the facility and comply with any local registration requirements.

These facilities are not required to:

- Register with the MPCA
- Obtain a PBR or permit
- Submit a solid waste annual report

The MPCA will coordinate with the host county should any compliance issues arise.

Compliance with all applicable rules is required. Rules governing these sites can be found on pages 3 and 4 of this document.

Definition of SSOM

SSOM is defined in Minn. R. 7035.0300, subp. 105a, and includes source-separated compostable materials and yard waste (as defined under Minn. Stat. § 115A.03, except sanitary products and diapers), vegetative wastes generated from industrial or manufacturing processes that prepare food for human consumption, and compostable materials that meet the standards in ASTM D6400 and ASTM D6868, incorporated by reference under part 7035.0605.

Unless specifically permitted by the commissioner under part 7001.0150, source-separated organic material does not include animal wastes such as manure or carcasses, fish wastes generated from industrial or manufacturing processes, meat by-products generated from industrial or manufacturing processes, sanitary products, or diapers.

SSOM does not include septage or sewage sludge, as defined in part 7041.0100, subp. 49.

Rules governing limited solid waste collection services transfer facility

7001.3050 Permit requirements

Subp. 2. **Exclusions.** A solid waste management facility permit is not required:

I. for a limited solid waste collection services transfer facility that directly accepts waste from individual residents that self-haul, provided the county where the facility is located, has determined that the facility is necessary due to limited availability of solid waste collection services, and:
   (1) all waste is managed and stored in containers or roll-off boxes constructed of impervious material
   (2) no more than 40 cubic yards of waste are stored on site at any given time
   (3) no more than 40 cubic yards of waste are managed on site per day
   (4) removal of waste occurs when the capacity of the container is reached or more often as necessary to prevent nuisance conditions

7035.2525 Solid waste management facilities governed

Subpart 1. **General requirements.** Parts 7035.2525 to 7035.2915 apply to owners and operators of all facilities that treat, transfer, store, process, or dispose of solid waste except as specifically provided otherwise in this part.

Subp. 2. **Exceptions.** Parts 7035.2525 to 7035.2915 do not apply to the following solid waste management facilities or persons, except as indicated:

K. limited collection transfer facilities in compliance with part 7001.3050, subpart 2, item I, must only comply with parts 7035.2535, subpart 1; 7035.2555; 7035.2565, subparts 1, 3, and 4; and 7035.2870, subpart 2

7035.2535 General solid waste management facility requirements

Subpart 1. **Unacceptable wastes.** The owner or operator of a solid waste management facility must not accept the following wastes for treatment, storage, processing, transfer, or disposal:

A. Hazardous wastes, categorized according to Minn. Stat. chs. 115B and 116, and Minn. R. ch. 7045, or wastes that have not been evaluated pursuant to parts 7045.0214 to 7045.0217
B. Sewage sludge, septic tank pumping's, sewage sludge compost, or sewage unless treated to meet the Class B pathogen reduction standards of chapter 7041
C. Infectious wastes, unless approved by the agency
D. Used oil, except as provided in subpart 5, item B
E. Radioactive waste
F. Wastes containing free liquids
G. Free liquids

7035.2555 Location standards

Subpart 1. **Floodplains.** An owner or operator may not locate a new solid waste management facility in a floodplain.

Subp. 2. **Other location standards.** An owner or operator may not establish or construct a solid waste management facility in the following areas:

A. within a shoreland or wild and scenic river land use district governed by chapters 6105 and 6120
B. within a wetland
C. within a location where emissions of air pollutants would violate the ambient air quality standards in chapters 7005, 7007, 7009, 7011, 7017, 7019, and 7028 and parts 7023.0100 to 7023.0120

7035.2565 Groundwater quality, surface water quality, air quality and soil protection

Subpart 1. **Duty to protect water.** Solid waste management facilities must be located, designed, constructed, and operated to contain sediment, solid waste, and leachate and to prevent pollution of groundwater and surface water. The owner or operator must take corrective action as necessary to end continuing releases and to minimize or abate any resulting ground water or surface water pollution. As required by parts 7050.0150 and 7060.0600, the owner or operator must monitor the facility, surface water, and ground water as directed by the agency.

Subp. 3. **Air quality protection.** A person, who operates or maintains a solid waste management facility or permits the use of property for such, must operate and maintain the site in conformance with the agency air pollution control rules. Open burning is prohibited, unless a permit is obtained as provided in Minn. Stat. § 88.17 and the material to be burned complies with Minn. Stat. § 88.171.

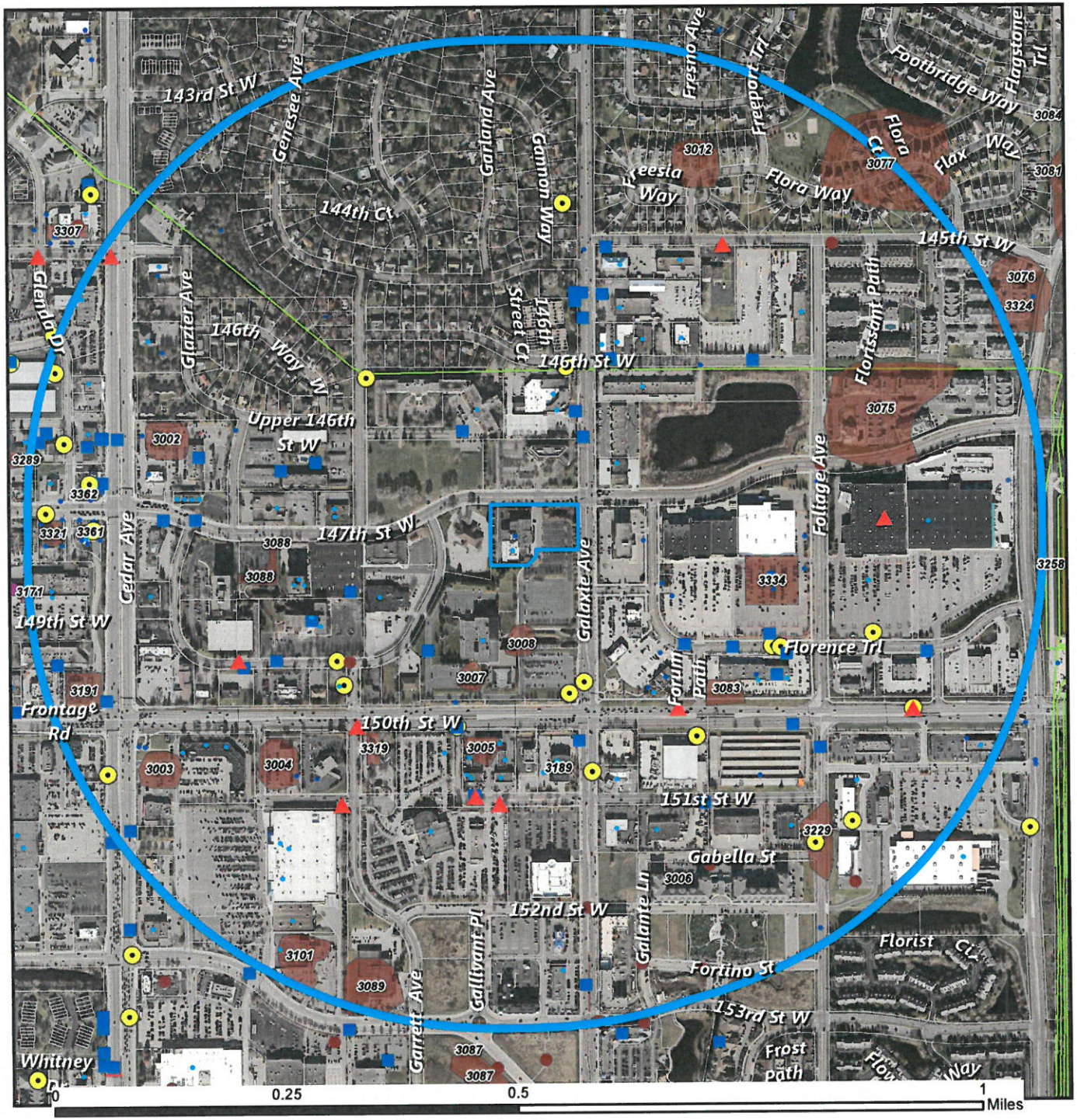
Subp. 4. **Soil protection.** Solid waste management facilities must be located, designed, constructed, and operated to minimize the contamination of soils from solid waste. For this subpart, soil contamination does not include soil liners.

7035.2870 Solid waste transfer facilities

Subpart 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.

ATTACHMENT 2

Environmental Review Map



Apple Valley City Hall
Apple Valley, MN
Review Date: July 19, 2018
Aerial Photo: 2017

Legend

- Pipelines
- Railroads
- Hazardous Waste Generators
- Wells
- Solid Waste Facilities
- Waste Sites

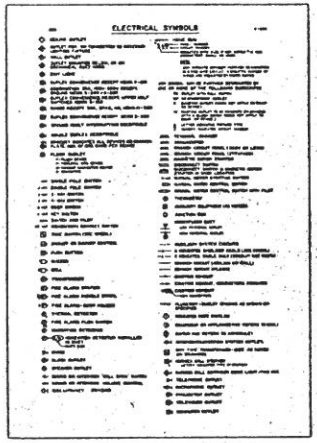
MPCA WIMN Sites

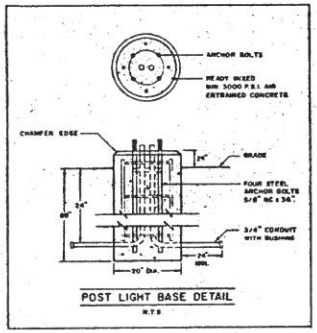
Program Name

- Multiple Programs
- Air Quality
- Environmental Review
- Feedlots
- Hazardous Waste
- Investigation and Cleanup
- Pollution Prevention
- Solid Waste
- Stormwater
- SSTS
- Tanks
- Water Quality

Copyright 2018, Dakota County
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only. Dakota County is not responsible for any inaccuracies herein contained. If discrepancies are found please contact the Dakota County Environmental Resources Department.

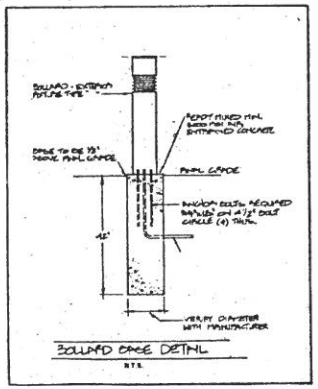
ELECTRICAL SYMBOLS





POST LIGHT BASE DETAIL

N.T.S.



BOLLARD BASE DETAIL

N.T.S.

PRELIMINARY INDEX TO ELECTRICAL DRAWINGS

E1.0 SITE PLAN

E2.0 BASEMENT FLOOR PLAN - LIGHTING
E2.1 FIRST FLOOR PLAN 'A' - LIGHTING
E2.2 FIRST FLOOR PLAN 'B' - LIGHTING
E2.3 SECOND FLOOR PLAN 'A' - LIGHTING
E2.4 SECOND FLOOR PLAN 'B' - LIGHTING
E2.5 THIRD FLOOR PLAN - LIGHTING

E3.0 BASEMENT FLOOR PLAN - POWER AND COMMUNICATIONS
E3.1 FIRST FLOOR PLAN 'A' - POWER AND COMMUNICATIONS
E3.2 FIRST FLOOR PLAN 'B' - POWER AND COMMUNICATIONS
E3.3 SECOND FLOOR PLAN 'A' - POWER AND COMMUNICATIONS
E3.4 SECOND FLOOR PLAN 'B' - POWER AND COMMUNICATIONS
E3.5 THIRD FLOOR PLAN - POWER AND COMMUNICATIONS
E3.6 ROOM SCHEDULE AND DETAILS
E4.0 POWER DISTRIBUTION RISER DIAGRAM
E4.1 FIRE ALARM SYSTEM RISER DIAGRAM
E4.2 COMMUNICATIONS AND SECURITY RISER DIAGRAMS

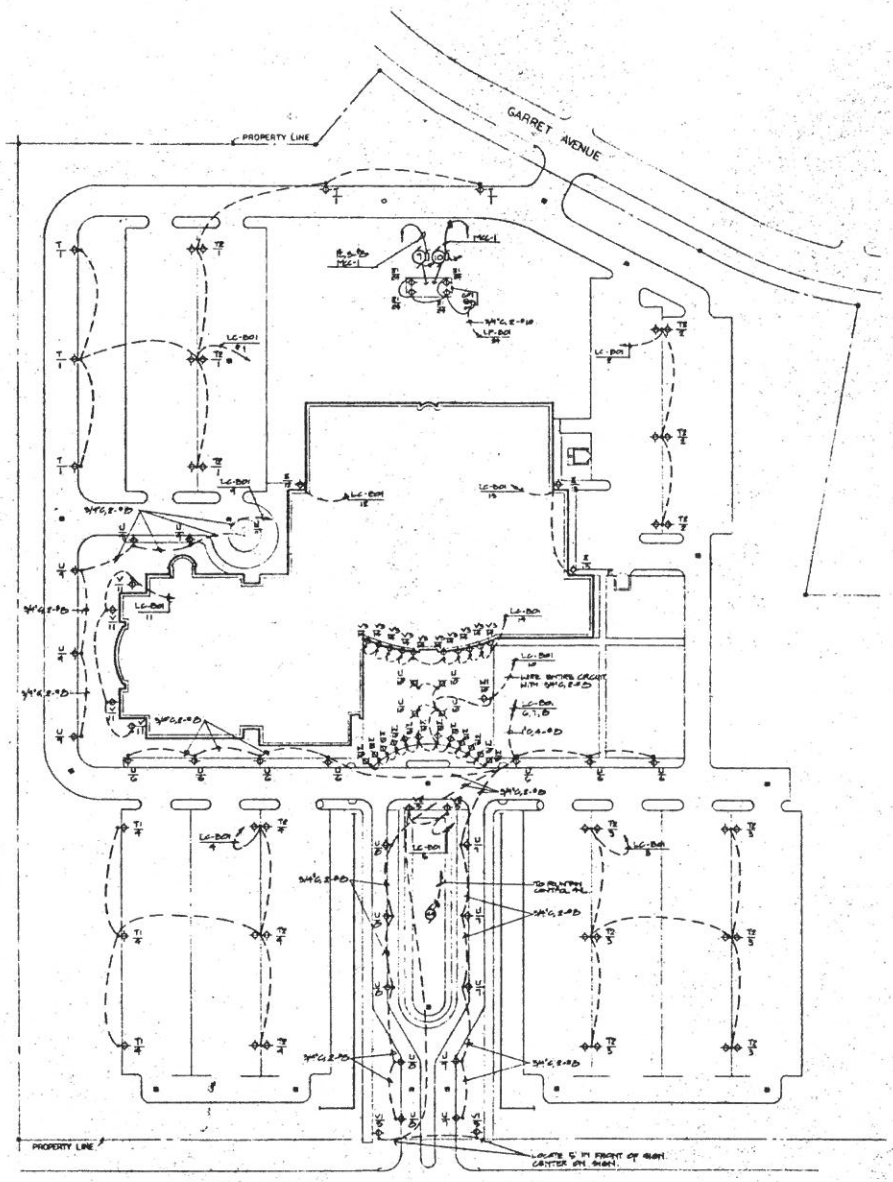
E5.0 LIGHTNING PROTECTION ROOF PLAN
E5.1 LIGHTNING PROTECTION DETAILS

E6.0 MOTOR SCHEDULES
E6.1 MCC SCHEDULES AND SECURITY SCHEDULES
E6.2 PANELBOARD SCHEDULES
E6.3 LIGHTING SCHEDULE

E7.0 PARTIAL PLANS AND SWITCHBOARD SCHEDULE
E7.1 DETAILS
E7.2 PARTIAL PLANS

GENERAL NOTES

1. VERIFY LOCATION OF ALL MOTORS WITH MECHANICAL PLANS BEFORE ROUGH-IN.
2. IN MECHANICAL EQUIPMENT ROOMS, CONDUIT FOR LIGHTING FIXTURES MAY BE RUN EXPOSED.
3. VERIFY TYPE OF CEILING CONSTRUCTION FOR PROPER MOUNTING OF ALL RECESSED LIGHT FIXTURES.
4. REFER TO ARCHITECTURAL ELEVATIONS AND REFLECTED CEILING PLAN FOR EXACT LOCATION OF LIGHTING FIXTURES AND DEVICES.
5. LABEL ALL TERMINAL CABINETS SO AS TO INDICATE THEIR FUNCTION.
6. WHEREVER THE INSTALLATION OF ELECTRICAL EQUIPMENT CONFLICTS WITH EXISTING CONDITIONS NOT MENTIONED IN THE PLANS OR THE SPECIFICATIONS, THE CONTRACTOR SHALL DETERMINE A SATISFACTORY ALTERNATIVE MEANS OF INSTALLATION AND VERIFY IT WITH THE ENGINEER BEFORE ACTUAL EQUIPMENT INSTALLATION.
7. VERIFY LOCATION OF ALL FLOOR OUTLETS WITH ARCHITECT PRIOR TO ROUGH-IN.
8. LABEL ALL TERMINAL CABINETS SO AS TO INDICATE THEIR FUNCTION.
9. ALL LIGHTING FIXTURES LOCATED SO AS TO DISRUPT A FIRE RATED CEILING ARE TO BE ENCLOSED OR SURROUNDED WITH FIRE PROTECTION MATERIAL AND FIBER BOARD. PROTECTION MATERIAL IS TO BE INSTALLED AS PER THE FIRE RESISTANCE INDEX. VERIFY WITH ARCHITECTURAL DRAWINGS THE HOUR RATINGS AND TYPE OF CEILINGS TO BE USED.
10. DEVICES SHOWN ON THESE PLANS ARE FOR WIRING PURPOSES ONLY. SEE ARCHITECTURAL PLANS AND ELEVATIONS FOR EXACT LOCATION OF DEVICES OR VERIFY WITH ARCHITECT.



SITE PLAN

1"=40'-0"

WP1 0000566

6102

Dakota County

Western Services Complex

Apple Valley, Minnesota

Architects :
The Leonard Parker Associates
430 Oak Grove
Minneapolis, Minnesota

Structural Engineers :
Meyer Borgman & Johnson, Inc.
510 Plymouth Building
Minneapolis, Minnesota

Mechanical / Electrical Engineers :
Erickson Ellison Associates
1446 Smiley Park Drive
St. Paul, Minnesota

Civil Engineers :
Bredeweg Inc.
8681 West 35th Street
Minneapolis, Minnesota

Landscape Architects :
Damon Farber Associates
311 First Avenue North
Minneapolis, Minnesota

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered ENGINEER under the laws of the state of Minnesota

registration number 11769

scale: 1"=40'-0"
drawn by: TT
checked by: LJPT
date: 8-1-84
project no: 8706

SITE PLAN

sheet number

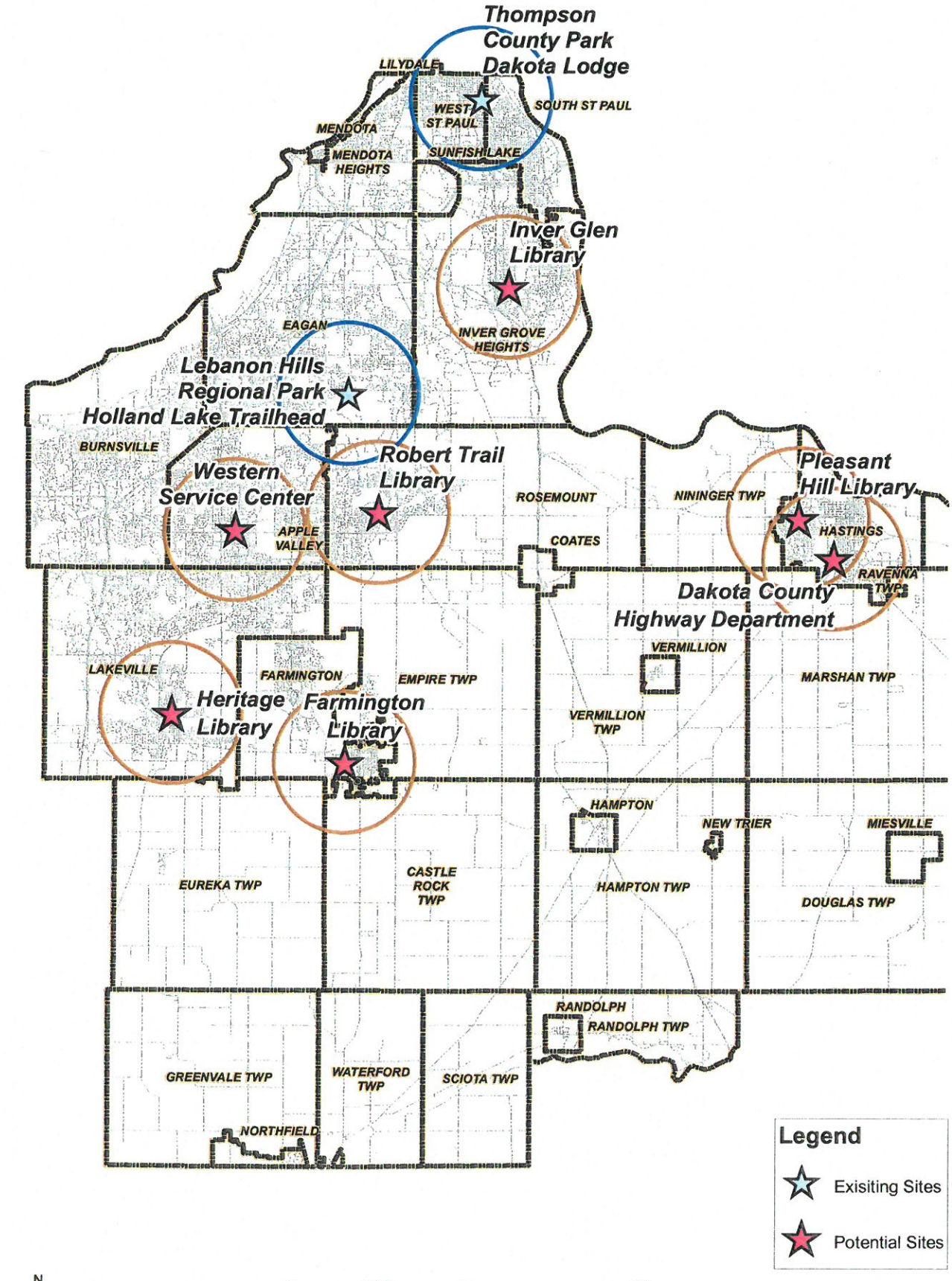
E1.0

Residential Organics Drop-Off Site

County Site Selection Worksheet

Potential Site Locations	**Population** (within 2 miles)	**Housing Units** (within 2 miles)	**Participating Households** (estimated, 9.5% of households)	**Estimated Weekly Volume, cubic yards** (based on estimated usage; 0.007187 cubic yards per household; rounded up)	**Annual Volume, cubic yards** (52 weeks per year)	**Annual Diversion, tons** (1 cubic yard = 165 pounds)	**Weekly Dumpster Capacity Needed, cubic yards** (to prevent overfill; professional judgment; even number for dumpsters)	**Weekly Service Cost** (~$6.00/yard)	**Annual Service Costs**	**Cost Per Participating Household**
Western Service Center, Apple Valley	42,490	14,666	1,393	10	520	42.9	12	$72	$3,744	$2.69
Dakota County Highway Department, Hastings	21,312	6,871	653	5	260	21.45	6	$36	$1,872	$2.87
Heritage Library, Lakeville	15,097	5,388	512	4	208	17.16	6	$36	$1,872	$3.66
Farmington Library, Farmington	17,894	4,059	386	3	156	12.87	4	$24	$1,248	$3.24
Pleasant Hill Library, Hastings	16,546	5,500	523	4	208	17.16	6	$36	$1,872	$3.58
Robert Trail Library, Rosemount	24,797	8,775	834	6	312	25.74	8	$48	$2,496	$2.99
Inver Glen Library, Inver Grove Heights	20,426	7,037	669	5	260	21.45	6	$36	$1,872	$2.80

County Facility Site Locations



Map dated July, 2018.
Prepared by the
Dakota County Office of GIS.