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May 27, 2020

Laura Bishop, Commissioner  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St. Paul, MN 55155-4194

**Re: Approval of Pope/Douglas Solid Waste Management  
Joint Waste Designation Plan**

Dear Commissioner Bishop:

Please find enclosed a Joint Waste Designation Plan (Plan) submitted by the Pope/Douglas Solid Waste Management Board (PDSWM), a joint powers board comprised of Pope and Douglas Counties (Member Counties). Attached are resolutions from the PDSWM Board and each Member County Board approving the Plan for submittal to the Minnesota Pollution Control Agency (MPCA). We are submitting the Plan pursuant to Minn. Stat. §§ 115A.80-.893 and seeking MPCA approval of the Plan as required by statute.

The PDSWM was formed in 1983 to foster broader regional cooperation on solid waste management between the Member Counties, and to provide waste processing services to nearby counties. PDSWM operates a variety of solid waste management programs and facilities, including a Waste-To-Energy Facility in Alexandria that is permitted to manage up to 80,000 tons per year of solid waste. The Facility serves MPCA's goal of reducing dependence on landfills by recovering materials and energy from solid waste.

PDSWM has plans to significantly improve its Facility and various waste management programs that will lead to even greater recovery of materials from waste generated in the region. These plans are detailed in the attached Plan.

The Facility currently receives approximately 27,000 tons per year generated in the Member Counties. We also have long term agreements with nearby counties to manage approximately 50,000 tons per year. However, the amounts received from these nearby counties can vary and may be reduced, and approximately 3000 to 6000 tons per year of waste generated in the Member Counties are not delivered to the Facility, but rather to landfills located elsewhere.

PDSWM and its Member Counties now desire to implement a waste designation program to ensure delivery of all solid waste that is generated in the Member Counties and is acceptable at

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Laura Bishop, Commissioner  
MPCA  
May 27, 2020  
Page 2

the Facility. As directed by statute, PDSWM will work to obtain waste delivery agreements from waste haulers and self-haulers. However, waste designation ordinances in each Member County will be needed to provide a regulatory tool to address any haulers or self-haulers that choose not to enter into waste delivery agreements with PDSWM.

The first step in the waste designation process is to obtain MPCA approval of a waste designation plan, and we are pleased to now present the attached Plan and seek MPCA review and approval of the Plan.

If you have any questions or need additional information, please contact me at (320) 763-9340 or [steve@popedouglasrecycle.com](mailto:steve@popedouglasrecycle.com)

Sincerely,

**POPE/DOUGLAS SOLID WASTE  
MANAGEMENT**

A handwritten signature in black ink, appearing to read 'S. Vrchota', written over a horizontal line.

Steve Vrchota, Director

Enclosures

cc: Kirk Koudelka, Assistant Commissioner, MPCA  
Rick Patraw, MPCA  
Sigurd Scheurle, MPCA  
Peder Sandei, MPCA  
David Crowell, MPCA  
Heidi Ringhofer, MPCA

106758219.1

## RESOLUTION NO. 3 - 2020

WHEREAS, this Pope/Douglas Joint Solid Waste Management Board (this "Joint Board") was established pursuant to a Joint Powers Agreement for Solid Waste Management between the counties of Douglas and Pope (the " Member Counties") dated December 7, 1983, which was amended by a Joint Powers Agreement dated April 9, 1997, and a Second Amended Joint Powers Agreement dated August 22, 2003, and a Third Amended Joint Powers Agreement dated April 2, 2019, (collectively, the "Agreement"); and

WHEREAS, pursuant to the Agreement, the Counties are authorized to jointly conduct solid waste planning and management activities pursuant to Minnesota Statutes, Section 400.04, and have established an integrated solid waste system (the "System") to be managed and operated by the Joint Board; and

WHEREAS, Pope/Douglas Solid Waste Management plans to upgrade its programs and facilities in the near future and has obtained the support of each of the Member Counties for this expansion.

WHEREAS, Pope/Douglas Solid Waste Management estimates that between 3,000 and 6,000 tons per year of mixed municipal solid waste is generated in the Member Counties and are not delivered to the Pope/Douglas Solid Waste Management System.

WHEREAS, the Joint Board would like to meet its operational goals and operate closer to its capacity.

WHEREAS, the Joint Board and Member Counties plan to designate by ordinance all the acceptable waste available after waste reduction, reuse, and recycling activities to the Pope/Douglas Solid Waste Management System.

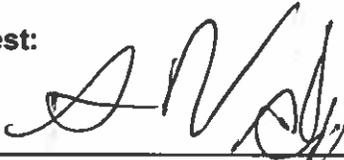
NOW, THEREFORE, BE IT RESOLVED THAT the Pope/Douglas Solid Waste Management Joint Board hereby approves of the draft joint waste designation plan and will send to the Member Counties for approval.

Dated at Alexandria, Minnesota this 19<sup>th</sup> day of March 2020.



Paul B. Aesch  
Pope/Douglas Solid Waste Management Chairman

Attest:



Stephen Vrchota, Executive Director

P O P E MINNESOTA  
C O U N T Y

Enhancing quality of life by providing innovative services for our community every day.

**POPE COUNTY RESOLUTION 202012  
ADOPTION of JOINT SOLID WASTE DESIGNATION PLAN**

WHEREAS, the Pope/Douglas Joint Solid Waste Management Board ("Joint Board") was established pursuant to a Joint Powers Agreement for Solid Waste Management between the counties of Douglas and Pope ("Member Counties") dated December 7, 1983, which was amended by a Joint Powers Agreement dated April 9, 1997, and a Second Amended Joint Powers Agreement dated August 22, 2003, and a Third Amended Joint Powers Agreement dated April 2, 2019, (collectively, the "Agreement");

WHEREAS, pursuant to the Agreement, the Counties are authorized to jointly conduct solid waste planning and management activities pursuant to Minn. Stat. Chap. 400, and have established an integrated solid waste system ("System") to be managed and operated by the Joint Board;

WHEREAS, the Joint Board plans for and operates the System to protect the public health, welfare, and safety of the citizens in the Member Counties as well as to protect the environment in a manner consistent with the goals of the Minnesota Waste Management Act (Minn. Stat. Chap. 115A);

WHEREAS, the Joint Board plans to upgrade its programs and facilities in the near future and has obtained the support of each of the Member Counties for this expansion;

WHEREAS, the Joint Board should be managing all Acceptable Waste generated in the Member Counties now and in the future and at least 3,000 to 6,000 tons per year of Acceptable Waste currently generated in the Member Counties is not delivered to the Pope/Douglas Solid Waste Management System;

WHEREAS, the Joint Board and Member Counties plan to implement a waste designation program pursuant to Minn. Stat. Sections 115A.80 to .893 for all Acceptable Waste generated in the Member Counties; and

WHEREAS, the Joint Board approved a Draft Joint Waste Designation Plan ("Plan") on March 19, 2020, and recommended that each Member County approve the Draft Plan for submission to the Minnesota Pollution Control Agency ("MPCA") for review and approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Pope County Board of Commissioners hereby approves the Draft Joint Waste Designation Plan, allowing for minor modifications to the Plan as needed to obtain approval by the MPCA.

**ADOPTED** at Glenwood, Pope County, Minnesota this 5th day of May, 2020, by the following vote:

AYES: Gerde, Haggerty, Lindor, Rogahn, Wagner NAYS: \_\_\_\_\_

Gordy Wagner  
Gordy Wagner, Chair, Pope County Board of Commissioners

**ATTEST:**

I hereby attest that the foregoing Resolution was duly executed by the Chair of the Pope County Board of Commissioners on the 5th day of May, 2020.

Kersten Kappmeyer  
Kersten Kappmeyer  
Pope County Coordinator

Seal



**Resolution No. 20-44**

**A RESOLUTION ADOPTING THE POPE/DOUGLAS SOLID WASTE  
JOINT WASTE DESIGNATION PLAN**

**WHEREAS**, Pope/Douglas Solid Waste Management ("PDSWM") is a joint powers board formed on December 7, 1983, comprised of Pope County and Douglas County and oversees the implementation of an integrated, regional solid waste management system ("System") aimed at moving the region in a positive direction on Minnesota's waste management hierarchy; and

**WHEREAS**, PDSWM owns and operates a waste-to-energy facility ("WTE Facility") located in Alexandria Minnesota that is permitted to process 240 tons of mixed municipal solid waste ("MMSW") per day, with future plans to upgrade programs and facilities in the supported by the Member Counties at a cost of nearly \$19 million; and

**WHEREAS**, PDSWM estimates that between 3,000 and 6,000 tons per year of MMSW generated in the Member Counties are not delivered to the WTE Facility, but rather to landfills in other areas of Minnesota, yet those tons are needed to meet the WTE Facility's operational goals of fulfilling capacity; and

**WHEREAS**, Member Counties have determined that a system of waste management that includes waste designation would be the most efficient means of maintaining a functioning regional solid waste management system that advances both State and local policy goals of making highest and best use of waste materials, including recovering energy from the combustion of waste at the Facility creates a valuable commodity while reducing greenhouse gas emissions and landfilling; and

**WHEREAS**, Pursuant to Minn. Stat. §§ 115A.80-893, the Member Counties plan to designate by ordinance all of the Acceptable Waste available after waste reduction, reuse and recycling activities have been implemented to the WTE Facility; and

**WHEREAS**, Prior to enacting waste designation ordinances, Member Counties must submit a Joint Waste Designation Plan ("Designation Plan") to the Minnesota Pollution Control Agency ("MPCA") for approval, consistent with the requirements set forth in Minn. Stat. § 115A.84.

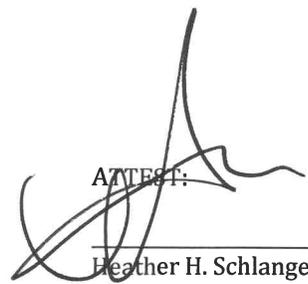
**NOW, THEREFORE, BE IT RESOLVED**, that the Douglas County Board of Commissioners finds that waste designation is the most comprehensive, fair and economically efficient means of ensuring delivery of Acceptable Waste generated in the Member Counties to the WTE Facility and approves this Designation Plan for submission to the Minnesota Pollution Control Agency.

Adopted at Alexandria, Minnesota this 21<sup>st</sup> day of April 2020.

BOARD OF COMMISSIONERS  
DOUGLAS COUNTY, MINNESOTA

  
Keith Englund, Chair

ATTEST:

  
Heather H. Schlangen, Coordinator  
Clerk of the Board  
Douglas County, Minnesota

**POPE/DOUGLAS SOLID WASTE MANAGEMENT**

**Joint Waste Designation Plan**

**May 5, 2020**

<b>I.</b>	<b>INTRODUCTION AND BACKGROUND.....</b>	<b>1</b>
<b>II.</b>	<b>STATE AND REGIONAL POLICIES AND AUTHORITY FOR DESIGNATION .....</b>	<b>3</b>
	<b>A. Minnesota Waste Management Act Policies.....</b>	<b>3</b>
	<b>B. Regional Solid Waste Management Policy. ....</b>	<b>4</b>
	<b>C. Member County Solid Waste Management Policy.....</b>	<b>5</b>
	<b>D. Designation Authority. ....</b>	<b>5</b>
<b>III.</b>	<b>EXISTING PROGRAMS, POLICIES AND FACILITIES .....</b>	<b>7</b>
	<b>A. Waste Generation.....</b>	<b>7</b>
	<b>B. Waste Education, Reduction and Reuse. ....</b>	<b>8</b>
	<b>C. Composting/Source Separated Organics. ....</b>	<b>8</b>
	<b>D. Household Hazardous Waste. ....</b>	<b>9</b>
	<b>E. Recycling.....</b>	<b>9</b>
	<b>F. Resource Recovery/Waste to Energy. ....</b>	<b>10</b>
	<b>G. Landfill.....</b>	<b>11</b>
<b>IV.</b>	<b>REGIONAL SYSTEM TO BE IMPLEMENTED .....</b>	<b>13</b>
	<b>A. System and Goals.....</b>	<b>13</b>
	<b>B. Institutional Arrangements.....</b>	<b>13</b>
	<b>C. Waste Delivery and Designation.....</b>	<b>14</b>
<b>V.</b>	<b>EVALUATION OF BENEFITS AND COSTS.....</b>	<b>16</b>
	<b>A. Public Interest/Purpose Served by Designation (Achievement of State, Local and Regional Policies). ....</b>	<b>17</b>
	<b>B. Estimated Revenues and Expenses.....</b>	<b>21</b>
	<b>C. Necessity of Designation for Financial Support of the System. ....</b>	<b>24</b>
<b>VI.</b>	<b>EVALUATION OF ALTERNATIVES TO DESIGNATION.....</b>	<b>24</b>
	<b>A. Background. ....</b>	<b>24</b>
	<b>B. Availability of Less Restrictive Methods for Ensuring Adequate Waste Supply.....</b>	<b>24</b>
	<b>C. Conclusion. ....</b>	<b>25</b>

**Attachments**

**Attachment A: Joint Powers Agreement**

**Attachment B: PDSWM Joint Solid Waste Plan**

**Attachment C: Unacceptable Waste**

**Attachment D: Maps of Service Areas**

**I. INTRODUCTION AND BACKGROUND**

Pope/Douglas Solid Waste Management (“PDSWM”) is a joint powers board formed on December 7, 1983, comprised of Pope County and Douglas County (each a “Member County” and collectively the “Member Counties”). PDSWM oversees the implementation of an integrated, regional solid waste management system (“System”) in the Member Counties aimed at moving the region in a positive direction on Minnesota’s waste management hierarchy described in the Minnesota Waste Management Act, specifically Minn. Stat. §115A.02(b).

PDSWM owns and operates a waste-to-energy facility (“WTE Facility” or “Facility”) located in Alexandria Minnesota. The WTE Facility is permitted to process 240 tons of solid waste per day, or approximately 80,000 tons per year. The Facility processes Mixed Municipal Solid Waste (“MMSW”), as defined in Minn. Stat. §115A.03, subd. 21, and certain other types of Solid Waste, as defined in Minn. Stat. §116.06, subd. 22. In 2019, the WTE Facility processed 27,300 tons of waste generated in the Member Counties and an additional 49,467 tons provided under long term contracts from the following nearby counties: Stevens County (2,288 tons), Grant County (2,438 tons) and Tri-County North (Stearns, Benton, and Sherburn) (44,741 tons). Thus, in addition to serving the Member Counties, the Facility also serves as a regional hub for recovering materials and energy from solid waste.

Through waste designation, PDSWM aims to ensure an orderly and reliable feedstock to the WTE Facility so it can continue to be operated efficiently and economically. Doing so mitigates the risk the Member Counties have taken in investing in the WTE Facility because they can rely on more certain revenue streams. Current business operations and future projects require reliable waste delivery. Revenues from the tipping fees are required to pay the debt service on \$18 million of bond obligations.

PDSWM has long term contracts securing approximately 50,000 tons of waste through 2031. However, the amounts delivered under these contracts can vary and Tri-County North can reduce the amounts it delivers beginning in 2025.

As part of its long-term risk management strategy, PDSWM would like to manage all of the approximately 30,000 tons of MMSW generated in Member Counties. Currently, haulers collecting MMSW in Member Counties are not required to deliver to the WTE Facility.

Based on recent certificate of need information, PDSWM estimates that between 3,000 and 6,000 tons per year of MMSW generated in the Member Counties are not delivered to the WTE Facility, but rather to landfills in other areas of Minnesota, likely because such landfills have lower tipping fees than at the WTE Facility. Depending on market conditions, PDSWM could continue to lose a growing share of the MMSW. PDSWM believes it to be vitally important that all MMSW, and potentially certain other Solid Waste streams, generated in the Member Counties be managed at the WTE Facility going forward.

Because the WTE Facility is publicly owned and operated, state and federal laws support waste designation, and the act of designating waste will help fulfill each Member County’s

desire to move solid waste management efforts toward higher priority actions on the State's solid waste hierarchy.

In addition to the WTE Facility, PDSWM owns and operates a lined and monitored Ash Landfill near Hoffman, MN (Douglas County). PDSWM also operates at the WTE Facility location a Materials Recovery Facility ("MRF") that removes recyclable materials and items deemed hazardous or that might lead to operational concerns for the MRF processing equipment or WTE Facility equipment, a household hazardous waste facility ("HHW Facility"), a Recycling Drop Center, an Organics Recycling Program, a Special Burn Program (for oily rags, powder coat paint, and obsolete products), a Drug Destruction Program, a Confidential Burn Program, and several specialty collections and drop off opportunities.

As part of its long-range plan providing efficient solid waste services for the next 30 years, PDSWM plans to upgrade its programs and facilities in the near future. PDSWM has obtained the support of each of the Member Counties and contracted counties for the project, which would cost nearly \$19 million, involving potentially up to \$9 million in State CAP Grant Funds and \$9.9 million provided by PDSWM. It is crucial for PDSWM to have a secure revenue stream to obtain bonding for the project. The project involves moving the current HHW Facility, Recycling Drop Center and administrative building to a new multi-purpose facility named the "Environmental Center". Also included in the plan is the expansion of the MRF, including installation of state-of-the-art recovery equipment, and construction of a regional organics composting site at the Ash Landfill site.

The MRF expansion will increase recovery of recyclable materials from 2.5 percent to 8 percent and allow flexibility to process up to 18,000 tons per year of curbside collected recycling materials produced in the region while reducing manual sorting and increasing operator safety. The Environmental Center will include an expanded recycling center and HHW area and will allow for recovery of additional materials and serve customers in a climate-controlled area. The facility will be heated and powered with energy produced by the WTE Facility. The Environmental Center would expand from 3,200 square feet to 10,000 square feet, housing the HHW facility, recycling drop-off, problem materials drop-off, and administrative space. The organics composting facility would provide a regional composting site allowing PDSWM to expand its current food waste recycling program and provide services for surrounding counties.

Whether or not the planned improvements come to fruition, the Member Counties plan to designate by ordinance to the Facility all Acceptable Waste available after waste reduction, reuse and recycling. Acceptable Waste will be as follows: garbage, refuse, and other Solid Waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, and that is not Unacceptable Waste at the Facility. This arrangement will allow PDSWM to meet its operational goals and operate at capacity. In order to give effect to these plans, PDSWM plans to utilize the waste designation process pursuant to Minn. Stat. §§ 115A.80-893, including efforts to utilize waste delivery contracts to accomplish waste deliveries.

PDSWM's Joint Powers Agreement ("JPA"), which is provided in Attachment A, not only provides PDSWM responsibility for owning and operating the WTE Facility, but also provides for other solid waste management activities that affect the operations of the PDSWM

facilities. Acting under this delegation of responsibility from the Member Counties, PDSWM submits this Joint Waste Designation Plan (“Designation Plan”) to the Minnesota Pollution Control Agency (“MPCA”) for approval, consistent with the requirements set forth in Minn. Stat. § 115A.84. The procedures set forth in Minn. Stat. § 115A.85 also require public notice, a public hearing, contract negotiations with the licensed haulers and self-haulers in the Member Counties, and MPCA approval of proposed Designation Ordinances before designation can begin.

Once the Designation Plan has been approved by the MPCA and the procedures under Minn. Stat. § 115A.85 followed, each Member County plans to individually adopt a waste designation ordinance that expressly designates all Acceptable Waste generated in the Member County to the WTE Facility.

As discussed in greater detail below, the legal authority for the Member Counties to designate waste to the WTE Facility is supported by the Supreme Court’s decision in *United Haulers Ass’n v. Oneida-Herkimer Solid Waste Management Authority*, 550 U.S. 330 (2007) (finding that flow control ordinances, or designation, to publicly owned and operated facilities are not per se violations of the dormant Commerce Clause). Because the Facility is owned and operated by PDSWM, designation to the Facility is consistent with the ruling in *Oneida-Herkimer*.

## II. STATE AND REGIONAL POLICIES AND AUTHORITY FOR DESIGNATION

The Member Counties have determined that a system of waste management that includes waste designation would be the most efficient means of maintaining a functioning regional solid waste management system that advances both State and local policy goals of making highest and best use of waste materials. Recovering energy from the combustion of waste at the Facility creates a valuable commodity while reducing greenhouse gas emissions and landfilling.

### A. Minnesota Waste Management Act Policies.

The Waste Management Act of 1980, as amended, (Minnesota Statutes Chapter 115A) sets forth policies, procedures, requirements, priorities and authorization regarding solid waste management and the designation of solid waste. In order of preference, the State prioritizes the following waste management practices (Minn. Stat. § 115A.02(b)):

1. waste reduction and reuse;
2. waste recycling;
3. composting of source-separated compostable materials, including but not limited to, yard waste and food waste;
4. resource recovery through mixed municipal solid waste composting or incineration;



5. land disposal which produces no measurable methane gas or which involves the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale; and
6. land disposal which produces measurable methane and which does not involve the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale.

Minnesota's waste designation statute (Minn. Stat. §§115A.80-.893) provides that Minnesota counties may require all, or a portion, of the solid waste generated within its boundaries to be delivered to a processing or disposal facility identified by the county. Before a county may begin the designation process, it must adopt a comprehensive solid waste management plan. Plans for designation must then be consistent with the State's hierarchy listed above and with each Member County's adopted solid waste management plan. As discussed in further detail below, this Designation Plan is consistent with the Joint PDSWM Solid Waste Management Plan, dated February 2013, and aims to move each Member County further toward meeting the State's solid waste management goals in Minn. Stat. § 115A.02. Specifically, the Designation Plan will facilitate further reduction in disposal of waste, additional recovery of resources from waste, coordination of solid waste management among political subdivision, and orderly and deliberate development and financial security of waste management facilities. It also provides a dependable waste management method for solid waste haulers in the Member Counties with the same pricing options for all.

#### **B. Regional Solid Waste Management Policy.**

A key goal included in the state's Waste Management Act is to coordinate solid waste management among political subdivisions. The Member Counties are coordinating their activities through participation in PDSWM. PDSWM was formed in 1983 under Minn. Stat. § 471.59, governing the joint exercise of common powers by units of government. The purpose of PDSWM is to provide for the joint operation and management of an integrated solid waste system, including the WTE Facility, along with planning and implementation of the Member Counties' solid waste ordinances.

The PDSWM system is owned and governed by Pope County at a 25% contribution/share and Douglas County at a 75% contribution/share.

PDSWM aims to identify areas where synergy and efficiency can be gained through greater collaboration among the Member Counties in areas of waste management. Through this cooperation the Member Counties benefit from the efficiencies that go along with greater economies of scale at the WTE Facility. They are also able to enjoy certainty in having an integrated waste management system over the long term and waste delivery practices that are prioritized higher on the State's hierarchy.

**C. Member County Solid Waste Management Policy.**

Each Member County has a solid waste management system that provides solid waste services as directed by Minnesota’s Waste Management Act and County Solid Waste Management Act (Chapter 400). PDSWM has a Joint Solid Waste Plan approved by MPCA in March 2013 that envisions enactment of designation. The PDSWM Solid Waste Plan is attached as Attachment B.

**D. Designation Authority.**

PDSWM and the Member Counties are planning on waste designation as a method to ensure delivery of waste to the WTE Facility over the long term. The Member Counties’ ability to do so is supported by the 2007 decision of the U.S. Supreme Court in *Oneida-Herkimer*, 550 U.S. 330 (finding that waste designation, or “flow-control”, ordinances to publicly owned and operated facilities are not per se in violation of the dormant Commerce Clause of the U.S. Constitution). While ongoing and future cases may further refine just how “public” the facility or system must be under *Oneida-Herkimer*, the WTE Facility clearly fits the *Oneida-Herkimer* test because it is wholly publicly owned and operated.

Chief Justice Roberts, writing for the *Oneida-Herkimer* Court, further explained that “[d]isposing of trash has been a traditional government activity for years, and laws that favor the government in such areas—but treat every private business, whether in-state or out-of-state, exactly the same—do not discriminate against interstate commerce for purposes of the Commerce Clause.” *Id.* at 334. Upon applying the balancing test established in *Pike v. Bruce Church, Inc.*, 397 U.S. 137 (1970), Roberts wrote: “we uphold these ordinances because any incidental burden they may have on interstate commerce does not outweigh the benefits they confer on the citizens of Oneida and Herkimer[.]” *Id.* Moreover, he explained that the Court found it unnecessary to decide whether the “ordinances impose any incidental burden on interstate commerce because any arguable burden does not exceed the public benefits of the ordinances.” *Id.* at 346. In describing these benefits, Justice Roberts wrote:

The ordinances give the Counties a convenient and effective way to finance their integrated package of waste disposal services. While “revenue generation is not a local interest that can justify discrimination against interstate commerce,” [*C & A Carbone, Inc. v. Town of Clarkstown, N.Y.*], 511 U.S. [383,] 393 [(1994)] (emphasis added), we think it is a cognizable benefit for purposes of the *Pike* test.

At the same time, the ordinances are more than financing tools. They increase recycling in at least two ways, conferring significant health and environmental benefits upon the citizens of the Counties. First, they create enhanced incentives for recycling and proper disposal of other kinds of waste. Solid waste disposal is expensive in *Oneida-Herkimer*, but the Counties accept recyclables and many forms of hazardous waste for free, effectively

encouraging their citizens to sort their own trash. Second, by requiring all waste to be deposited at Authority facilities, the Counties have markedly increased their ability to enforce recycling laws. If the haulers could take waste to any disposal site, achieving an equal level of enforcement would be much more costly, if not impossible. For these reasons, any arguable burden the ordinances impose on interstate commerce does not exceed their public benefits.

*Id.* at 346-47.

The State also expressly recognizes the potential benefits of designation in meeting the State's waste management goals effectively and efficiently. Minn. Stat. §§ 115A.80-.893 govern waste designation programs in Minnesota. Under Minnesota law, designation means a requirement by a county that all or any portion of the solid waste generated in that county be delivered to an identified processing or disposal facility. Minn. Stat. § 115A.81, subd. 2.

Minnesota Statutes also set forth elements and analysis that must be included in the Designation Plan, including:

- the benefits of designation including public purposes that would be furthered by designation;
- estimated costs (direct and indirect);
- whether the designation will result in the recovery of resources or energy from materials that would otherwise be wasted;
- whether designation will lessen the demand for and use of indiscriminate land disposal;
- whether designation is necessary for the financial support of the facility;
- whether less restrictive methods for ensuring an adequate solid waste supply are available;
- other feasible and prudent waste management alternatives for accomplishing the purpose of designation; and
- whether the plan takes into account and promotes local, regional and state waste management goals. Minn. Stat. § 115A.84, subd. 2.

The designation plan must then be submitted to the MPCA for review and approval, and the MPCA must act within 120 days of the submission. Minn. Stat. § 115A.84, subd. 3.

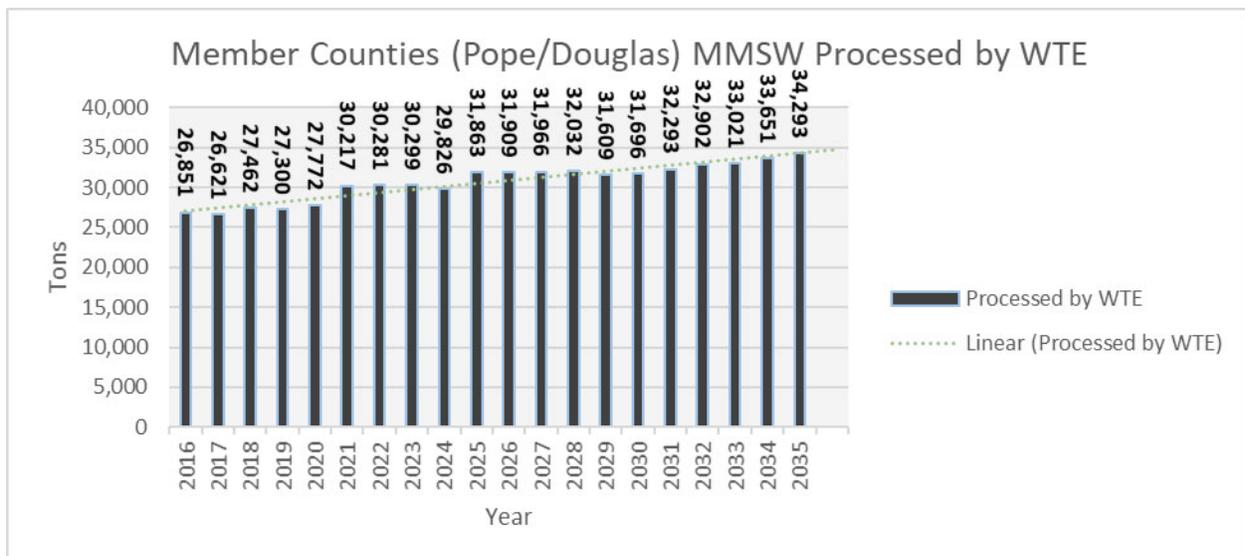
A county with an approved designation plan must then hold a public hearing on the designation. Minn. Stat. § 115A.85, subd. 2. Following the public hearing, for a period of 90 days, the county must negotiate with licensed haulers for the purpose of attempting to enter contractual agreements that will require the use of the facilities proposed to be designated. At the end of this 90-day negotiation period, the county may proceed to secure approval for and implement the designation as provided in section 115A.86. Minn. Stat. § 115A.85, subd. 4. The county will then prepare a designation ordinance and submit it, along with any negotiated

contracts ensuring the delivery of solid waste, to the MPCA for review and approval. Minn. Stat. § 115A.86, subs. 1, 2. The MPCA will make a decision within 90 days of submission. Minn. Stat. § 115A.86, subd. 2. Designation can then be placed into effect 60 days after the MPCA approval. Minn. Stat. § 115A.86, subd. 3. Except for haulers (and generators) that enter into delivery agreements with the county, the designation is then binding on all political subdivisions, landfill operators, solid waste generators and solid waste collectors in the designation area. Minn. Stat. § 115A.86, subd. 4.

**III. EXISTING PROGRAMS, POLICIES AND FACILITIES**

**A. Waste Generation.**

The following table below summarizes the joint historical and projected MMSW generation volumes in the Member Counties. For a detailed graph that represents historical and projected tons to be managed via WTE, recycling, organics/composting and landfill, refer to the graph in the ‘Projected Waste Generation’ section.



In 2019, PDSWM processed 27,300 tons of MMSW that were generated in the Member Counties. The table projects MMSW tons from 2016-2035 based upon an estimated 1.80% annual growth. The WTE Facility has an annual processing capacity of approximately 80,000 tons. The remaining processing capacity of around 52,700 tons is mostly filled by long-term delivery contracts from Grant County, Stevens County and Tri-County North (Stearns, Benton, Sherburne). Given the potentially varying amount of MMSW delivered by contracted Counties to the WTE Facility, it is important for the WTE Facility to also manage all MMSW, and potentially certain other acceptable solid waste streams, generated in the Member Counties. This is most important because PDSWM can currently use Tri-County North waste to balance waste

deliveries. However, in its agreement with PDSWM Tri-County North can reduce its deliveries starting in 2025 by 5,000 tons/year until the contract terminates in 2031.

**B. Waste Education, Reduction and Reuse.**

Waste education and waste reduction are at the top of the state’s waste hierarchy and each Member County includes education as a key component of its solid waste planning. PDSWM has a comprehensive educational outreach program that targets youth/schools, non-profit groups, civic groups, churches, businesses and the general public. Outreach topics/presentations/advertising target a plethora of topics including: household hazardous waste; pesticide disposal; mercury containing items; rechargeable batteries; backyard composting; organics recycling; compostable products; event recycling; asbestos disposal; construction & demolition disposal; yard waste; Christmas/holiday tree recycling; waste oil/filter recycling; mobile recycling trailers; mobile household hazardous waste trailer events; business recycling; church/non-profit recycling; multifamily recycling; reuse/donation/repair opportunities; food donation/Good Samaritan law implementation; curbside recycling; agricultural plastics/boat wrap recycling; anti-littering campaigns; empty pesticide container recycling events; local foods/buy local; organics recycling drop sites; e-waste/appliance recycling; drugs and sharps disposal; car seat recycling; vehicle donations; textiles drop offs; household hazardous waste reuse shelf; church & non-profit donation programs; and more. PDSWM also assists in sponsoring/planning several events, such as: STEAM/STEM Expo; Eco Fairs; and Kids’ Groundwater Festivals (Douglas County & Pope/Stevens Counties).

**C. Composting/Source Separated Organics.**

Yard waste is prohibited by law from being mixed with MMSW Composting yard waste and organics ranks higher than resource recovery in the solid waste hierarchy, and such materials have low BTU content by weight which are not best used to create energy. PDSWM provides recycling incentive payments for haulers who provide curbside yard waste collection (cities include Alexandria, Glenwood and Osakis). For those residents who do not have curbside yard waste pickup, options include self-haul to Douglas County Demolition and Disposal (north of Alexandria) and the Tom Kraemer Inc/Construction and Demolition (south of Glenwood). Several cities also offer small yard waste drop-offs at city garages/public works departments. Christmas/holiday tree recycling drop sites are offered at one site per Member County.

PDSWM actively promotes backyard composting as another effective manner to process yard waste at the individual household level. Compost bin distribution sales events have occurred in the past. Vermicomposting (small scale indoor composting using red earthworms) demonstrations have occurred and is suggested through educational resources to residents.

Source Separated Organics (SSO) programs are available for households and businesses. Business/commercial organics recycling pickups are provided by Pope/Douglas Organics Recycling. PDSWM contracts with a single hauler to provide collection of all customers in the



two-county area – no matter who their primary hauler is. PDSWM provides organics recycling incentive payments for haulers who offer household or commercial organics recycling service.

Household options include curbside pickup utilizing the *Organix* co-collection system for the communities of Osakis and Glenwood. This program reduces the need for an organics-dedicated collection truck. PDSWM has developed multiple organics recycling drop off sites located throughout higher population areas of the two-county area.

PDSWM, in partnership with haulers, operates an extensive events recycling/organics recycling program that targets public, civic and church events to educate residents on organics recycling and low waste/compostable events.

As previously noted, PDSWM is planning a regional organics recycling composting site to manage organics from Pope, Douglas, Grant, Stevens and Otter Tail Counties.

#### **D. Household Hazardous Waste.**

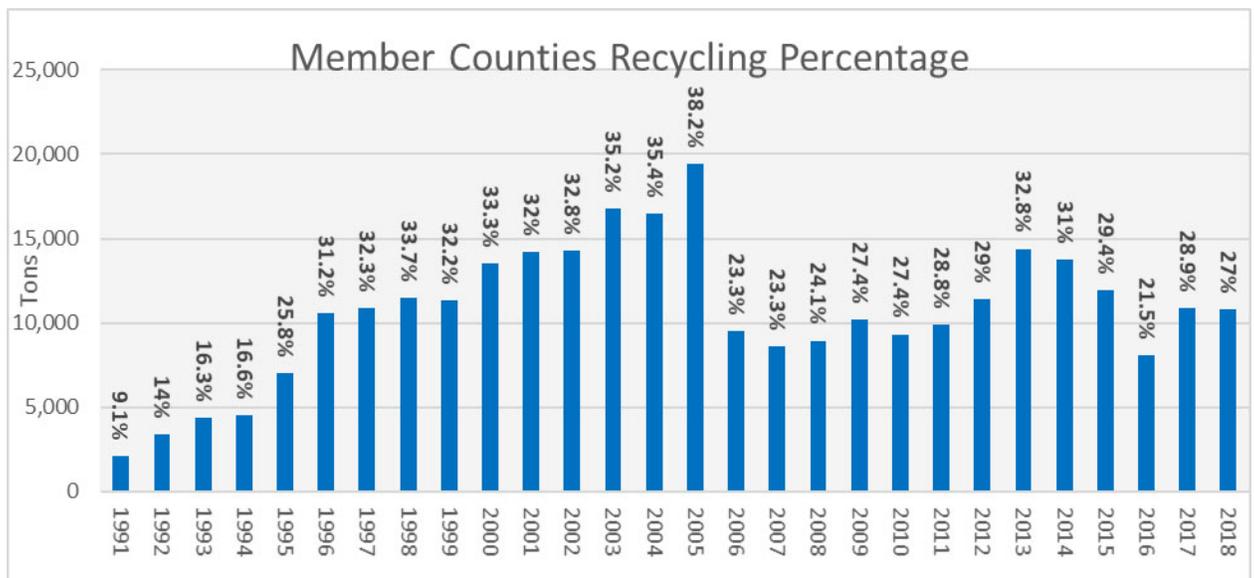
PDSWM operates a year-round HHW Facility in Alexandria. The HHW Facility is part of the Stearns County Regional Household Hazardous Waste Program, which is in Waite Park. The HHW Facility opened in 1993 and served 1,004 residents that year through the drop-off and product reuse programs. In 2018 the HHW Facility served 8,356 residents. The HHW Facility accepts and processes a multitude of products, including: paints; stains; adhesives; aerosols; pesticides; cleaners; waste oil/filters; mercury-based items; thermostats/thermometers; rechargeable batteries; cell phones; printer ink cartridges; and more. Several PaintCare options are located throughout both Member Counties that accept latex/oil paints & stains. PDSWM also partners with communities to offer several mobile household hazardous waste trailer drop-off events. PDSWM partners with electric utilities to offer fluorescent bulb recycling access at no additional charge. Satellite bulb recycling options include Ace Hardware and the TKI Landfill in Glenwood. Household sharps/needle disposal is offered at the HHW Facility. PDSWM partners with area law enforcement to offer seven permanent drug disposal drop boxes. PDSWM partners with the Minnesota Department of Agriculture to offer year-round pesticide disposal from farmers and producers.

#### **E. Recycling.**

PDSWM works with haulers to promote recycling programs through educational resources, and has implemented curbside and satellite collection site recycling programs since 1989. PDSWM provides hauler incentive payments for household and commercial single sort recycling and old corrugated cardboard (OCC) recycling. There is full access to curbside recycling in the two-county area. PDSWM also operates a year-round Recycling Drop Center in Alexandria that accepts recyclables, boat wrap/ag plastics, empty pesticide containers, corrugated plastic sheets, waste oil/filters, empty aerosols, wires/non-ferrous scrap/ferrous scrap, appliances and special niche programs throughout the year. PDSWM also operates a seasonal recycling trailer for the communities of Glenwood and Starbuck to capture recyclables from seasonal residents who may not have year-round garbage/recycling service.

PDSWM offers an extensive event recycling program with a mobile events recycling trailer with educational resources and equipment to capture organics and food/beverage containers. This program is operated cooperatively with waste haulers, and community/civic/church groups. PDSWM provides incentive grants to area youth and adult groups to set up and monitor recycling at events utilizing the Green Warrior program (that is operated by PDSWM).

Refer to the chart below, provided by the Minnesota Pollution Control Agency on the historical recycling rate for the combined Douglas and Pope Counties. SCORE reporting is done combined for both member counties. Overall, the chart indicates that Pope and Douglas Counties are falling short on the state-mandated 35% recycling rate.



**F. Resource Recovery/Waste to Energy.**

While the Member Counties both employ significant waste reduction and recycling programs and have goals to do more in the future, and although recyclables are also removed from the MMSW stream at the Facility, resource recovery through the use of the WTE Facility is critical to the Member Counties’ success in making better use of available waste.

The WTE Facility was constructed in 1986 and began accepting waste in April 1987. In 2011, a third combustion unit was added to the WTE Facility to meet the solid waste management needs of the Member Counties.

The WTE Facility is permitted to process 240 tons per day and has an annual processing capacity of 80,000 tons. The remaining processing capacity of approximately 52,538 tons is filled by long term delivery contracts from Partner Counties; Grant, Stevens, and Tri-County North



(Stearns, Benton, Sherburne). Member Counties (Pope and Douglas Counties) contributed 27,300 tons in 2019.

It operates 24 hours per day, 365 days a year. The WTE Facility has a pit that is 20 feet deep where the industrial wastes and MSW that has been processed to remove recyclables from are mixed together. A grapple picks up the waste and loads it into the incinerator where it is burned at 1,800°F. During the incineration process 76,000 k-lb of steam, at 170 pounds of pressure, is generated.

The steam is sold or used by the following:

- Sold to Alexandria Technical & Community College for heating purposes pursuant to a contract.
- Sold to the 3M Manufacturing plant for heating and production purposes pursuant to a contract.
- Sold to the Douglas County Hospital for heating, cooling, and production purposes pursuant to a contract.
- Used by the Pope/Douglas Waste to Energy plant for heating purposes.
- Produces 1500 kilowatt per hour energy of electricity through generators located at the Facility. The electricity is used at the Facility.

The WTE Facility is monitored by the Continuous Emission Monitoring System which constantly monitors the following:

- Burn Temperature
- Oxygen
- Carbon Monoxide
- Opacity
- Sulfur Dioxide
- Nitrogen Oxide

#### **G. Landfill.**

Landfills continue to serve as a part of the solid waste management system for the region, and PDSWM recognizes that landfill capacity is needed for waste that cannot be reduced, reused, recycled or processed. Landfilling is the least desirable method of managing solid waste, but it is still increasing throughout Minnesota because the immediate cost of landfilling is generally lower than resource recovery.

Based on recent certificate of need information, PDSWM estimates that between 3,000 and 6,000 tons per year of MMSW generated in the Member Counties are not delivered to the WTE Facility, but rather to landfills in other areas of Minnesota, likely because such landfills have lower tipping fees than at the WTE Facility. These MMSW tons are not included in the chart below.

There are currently no open MMSW landfills located in Pope or Douglas Counties. One privately owned and operated construction and demolition (C&D) landfill is located in Douglas County, dba/Douglas County Demolition & Landfill. A privately owned and operated C&D landfill is also located in Pope County, dba Tom Kraemer Landfill or TKI.

PDSWM owns and operates the Pope/Douglas Ash Landfill located in Hoffman, MN, which only accepts ash from the WTE Facility and 1-inch or smaller screenings from the MRF. Ferrous and non-ferrous metal mining is occurring at the Ash Landfill to save landfill space and increase recycling.

Of the total 80,000 tons/year PDSWM processes, 27 percent is generated in Douglas County and 8 percent in Pope County. The chart below shows the total MMSW from the Member Counties (Pope and Douglas) and Partner Counties (Grant, Stevens, and Tri-County North – Benton, Sherburne, Stearns) that was bypassed from the Facility and sent directly to landfill (Bypass) from 2007 to 2017. Data is also shown below for total Bypass for the Member Counties.

<b>Tons of MMSW Bypassed from PDSWM (WTE and MRF) to Landfill</b>											
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>Combined Member and Partner Counties Bypassed MMSW sent to Landfill</b>	2,481	1,952	1,880	2,137	2,280	2,622	2,690	329	351	111	140
<b>*% of MMSW Processed</b>	6.71%	5.27%	5.04%	6.27%	6.66%	6.65%	6.14%	.66%	.47%	.30%	.30%
<b>Member County Only Bypass (Pope and Douglas Counties)</b>	868	683	658	748	798	918	941	115	123	39	49
*% of total MMSW delivered to PDSWM WTE Facility and MRF Front-End Processing Facility that needed to be bypassed to the Morrison County Landfill in Little Falls, MN											

In 2013, PDSWM made operational changes to how incoming MMSW is handled and sorted at the MRF, which resulted in significantly less Bypass to be transported to a landfill. The amount of Bypass is dramatically lower than the 3,000 to 6,000 tons per year of MMSW that is generated in the Member Counties (Pope and Douglas) that is currently going to landfill.

In 2019, PDSWM diverted 211.60 tons of MMSW to the Morrison County Landfill in Little Falls. Diverted tons were either bulky or stringy in nature, and too inefficient for processing at the WTE Facility. There are residential/commercial MMSW self-haul drop offs available at the transfer stations located at the two C&D landfills noted above.

**IV. REGIONAL SYSTEM TO BE IMPLEMENTED**

**A. System and Goals.**

PDSWM’s goal is to improve upon its current waste management practices and implement a more efficient regional waste management system. PDSWM’s solid waste management system (“System”) is centered on efficient use of the WTE Facility. Assuring delivery of all Acceptable Waste generated in the two Member Counties is key to the success of the overall System.

**B. Institutional Arrangements.**

The JPA provides for the joint operations and management of the System, including the WTE Facility, to furnish solid waste management planning services and to enhance the capacity of the Member Counties in the enforcement of all laws, ordinances, and resolutions regulating the generation, storage, transportation and disposal of solid waste in the Member Counties.

The PDSWM Board (“Board”) consists of five appointed members. Three members are appointed by the Douglas County Board of Commissioners and two members are appointed by the Pope County Board of Commissioners. At least one of the members appointed by Douglas County to be a member at large so that neither Member County has a functional majority. The Board has monthly meetings and occasional special meetings.

The JPA authorizes the hiring of an Executive Director who has overall responsibility managing PDSWM’s programs and staff.

Although the Member Counties have determined designation is necessary to assure waste delivery, each Member County will also seek to negotiate waste delivery agreements with the licensed haulers and self haulers as required by statute. Pursuant to the designation statute, the respective ordinances will provide that any designated waste collected by a licensed hauler with a waste delivery agreement with PDSWM will be exempt from the ordinance. Although PDSWM hopes that the contract negotiations will be successful and that all licensed haulers in the Member Counties will enter into contracts, the ordinance will provide an important backstop for existing and new haulers that do not sign contracts.

Current licensed haulers operating in each Member County include:

<b>Name of Hauler</b>	<b>Location</b>
Alex Rubbish & Recycling Inc.	Alexandria, MN
Denzel’s Region Waste	Dalton, MN
Engebretson Sanitary Disposal Service, Inc.	Morris, MN
K.R. Drenth Trucking Inc.	Lynwood, IL
Long Prairie Sanitation Inc.	Long Prairie, MN
Mattheisen Disposal Inc.	Benson, MN
Northern Metal Recycling	Minneapolis, MN
Osakis Silo Repair	Osakis, MN

Tom Kraemer Inc.	Cold Spring, MN
Tom's Refuse	Melrose, MN
Waste Management of Minnesota, Inc.	Sauk Centre, MN
West Central Sanitation Inc.	Willmar, MN
Pope/Douglas Solid Waste Management	Alexandria, MN

**C. Waste Delivery and Designation.**

The Member Counties determined a need to enact waste designation to ensure that solid waste from the Member Counties is managed in a manner that ranks higher on the State's hierarchy. The waste collection systems within the Member Counties include a combination of both municipal collection as well as a predominance of private collection. The predominance of private collection, combined with available lower cost landfill alternatives in the surrounding counties and adjacent states, have caused the Member Counties to experience some degree of waste leaving their Service Areas. The Member Counties aim to designate waste within their jurisdictions in order to have certainty of delivery of all Acceptable Waste, as well as flexibility to continue to improve upon the region's waste management system over time as new technologies or opportunities arise.

1. Waste Subject to Designation.

Each of the Member Counties will designate by ordinance all Acceptable Waste generated in their Service Area to the WTE Facility. Acceptable Waste is defined as garbage, refuse, and other Solid Waste from residential, commercial, industrial and community activities that the generator of the waste aggregates for collection that meets the acceptance requirements of the Facility, but specifically excludes Unacceptable Waste and wastes excluded under the waste designation statutes.

Unacceptable Wastes are those wastes excluded due to their incompatibility with the WTE Facility. Unacceptable Wastes are listed on Attachment C. The list of Unacceptable Wastes will be modified by PDSWM as needed based on the Facility's ability to store, process and transfer materials. If the Facility expansion moves forward, PDSWM will be able to receive more waste materials.

2. Materials Not Subject to Designation.

The Waste Management Act (Minn. Stat. Chap. 115A) directs counties to minimize landfilling and to prioritize recycling over resource recovery. Under the Act, source separated recyclable materials are exempt from designation and not within the county's authority to designate. To give further effect to the State's waste hierarchy and to implement a workable system of designation in the Member County region, the designation of waste does not apply to or include:

- a. Materials that are separated from solid waste and recovered for reuse in their original form or for use in manufacturing processes;

- b. Materials that are separated at a permitted transfer station located within the Member County region for the purposes of recycling the materials if:
    - i the transfer station was in operation on January 1, 1991; or
    - ii the materials were not being separated for recycling at the Facility at the time the transfer station began separation of the materials;  
and
  - c. Recyclable materials that are being recycled and residuals from the recycling if there is at least an 85% volume reduction in the solid waste processed at the recycling facility and the residuals are managed as separate waste streams.
3. Role of Solid Waste Designation.

PDSWM and its Member Counties have made considerable investment in the WTE Facility and the System. Designation will ensure that all Acceptable Waste generated in the Member Counties is managed at the WTE Facility. Without this, the regional System and the WTE Facility could not be financially supported. All of these efforts come with additional associated costs. Such a system that prioritizes higher environmental outcomes has higher operating costs than one that relies more heavily on landfilling or that simply allows market forces to determine waste management choices. Designation is necessary to overcome economic pressures to send Acceptable Waste to landfills and to facilitate the ability of PDSWM and the Member Counties to invest in higher environmental outcomes for the management of their solid waste.

4. Service Areas.

PDSWM operates as a Joint Powers Board, but the individual Member Counties will each be designated a Service Area due to the individual counties administering their own waste designation ordinances. The Service Area for each Member County's designation ordinance will be all areas within each Member County's respective jurisdiction. A map of each Service Area is included as Attachment D.

5. Geographic Area Subject to Designation.

The Designation will apply to all Acceptable Waste generated in the Service Areas that is not exempt or excluded.

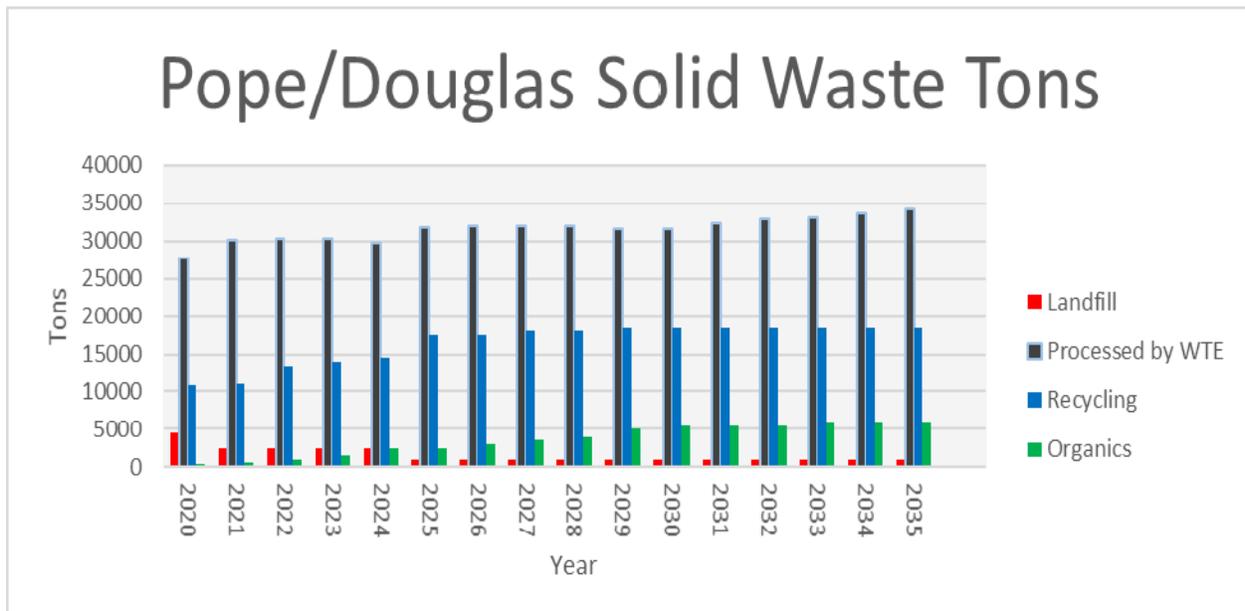
6. Designation Point of Delivery.

The designation point of delivery is as follows:

Pope/Douglas Waste-to-Energy Facility  
2115 Jefferson Street  
Alexandria, MN 56308

7. Projected Waste Generation.

The projected total waste generation in the Member Counties over the term of the JPA is listed in the graph below. In addition, the total projected amounts recycled, delivered to the WTE Facility, combusted at the WTE Facility and landfilled or otherwise managed are also listed below. The estimated 3,000 and 6,000 tons per year of MMSW generated in the Member Counties and delivered to landfills is included in the graph.



**V. EVALUATION OF BENEFITS AND COSTS**

There are a variety of costs, benefits, risks, short-/long-term effects and other factors that are relevant to different types of solid waste facilities and methods of solid waste management. This section of the Designation Plan evaluates and discusses estimated costs and benefits associated with the WTE Facility. The public policies and purposes served by the WTE Facility and designation are also discussed.

Costs set out for the WTE Facility are estimates based on current information available and assumptions that can be made at this time. Many factors can influence costs such as: method of financing, interest rates, term of financing, energy prices and costs, inflation, economic

conditions, energy markets, contractual terms and regulatory changes. Therefore the costs estimated herein can vary according to changing assumptions and conditions.

**A. Public Interest/Purpose Served by Designation (Achievement of State, Local and Regional Policies).**

Various sections of this Designation Plan set forth the public policies and purposes that it serves. The use of the Facility will further each Member County's goal of moving waste management further up the State's hierarchy. As identified in the tables and graph included in the previous section, this Designation Plan supports the continued efficient and maximized operation of the regional System. As a result, the Designation Plan as a whole moves the region upwards on the State's hierarchy, while also supporting State goals aimed at greenhouse gas reduction and regional planning.

1. Materials Separation and Recovery.

In addition to the source separated programs implemented in the Member Counties, the MRF at the WTE Facility continues to extract valuable recyclables from the waste stream for recovery and resale. The MRF has routinely recovered over 1,800 tons per year or 2.5 percent of the total waste delivered and processed. Items recovered include: old corrugated cardboard (OCC); used beverage containers (UBC); baled tin; loose scrap; miscellaneous non-ferrous scrap; wire; and batteries. After the planned expansion (pending CAP approval), the MRF will capture up to 8 percent of all incoming processed waste or 5,350 tons. Items recovered in the expanded MRF will include larger quantities of the current commodities identified above, and will also include PET and HDPE bottles and jugs. Advanced separation equipment will enable such additional recovery.

2. Recovery of Energy.

As previously noted, steam is sold pursuant to a contract with the Alexandria Technical and Community College, which uses it for heating purposes. Steam is also sold pursuant to a contract to the nearby 3M manufacturing plant for heating and production purposes. Steam is also sold to the Douglas County Hospital, pursuant to an agreement, for heating, cooling and production purposes. As previously noted, the WTE Facility uses steam for its own heating purposes and also produces electricity from the steam that is used at the WTE Facility.

In 2018, 178,900.00 of K lbs of steam was sold and generated approximately \$1 million in revenue. It should be noted that revenue has been down over previous years due to the glut of cheaper natural gas on the market due to advances in oil extraction/recovery. This decrease in revenue will be expected for several years.

In 2018, PDSWM generated 5,424.14 Megawatts from the two turbine generators located at the Facility. Total revenue/energy saved was \$347,796. Most of the electricity produced is used in-house to offset purchasing power from the grid. PDSWM has an agreement in place with Missouri River Energy and occasionally pushes excess power out to the grid. It should be

noted that PDSWM makes significantly more revenue on steam generated and sold, compared to the same energy BTUs being used to generate electricity from turbine generators.

3. Reduction in Waste Generation.

Waste designation will continue to foster an overall reduction in waste generation in the region. The act of designating waste allows the Member Counties to implement waste management systems that are higher on the State's hierarchy and more sustainable, while simultaneously helping cover the added costs of doing so. The increased cost to generators of disposing of waste in a more responsible manner will encourage greater waste reduction. Paying the full cost of a more sustainable and integrated waste management system provides economic incentive to reduce the costs associated with disposing of that waste. Through better recycling, composting and waste reduction, generators can reduce the amount paid in disposal fees. Additionally each Member County has implemented and will continue to implement a public education program that makes costs of waste management visible and promotes waste reduction.

4. Abatement of Landfill Disposal.

This Designation Plan captures a significant amount of waste, estimated to be between 3000 and 6000 tons per year, that would otherwise be landfilled outside the Member County borders. While the WTE Facility ultimately sends some materials and ash to landfill, it generally does so after processing the waste, pulling out undesirables and recyclables that were not previously separated, and making use of the energy content. Moreover, PDSWM is in the preliminary planning stage to implement more environmentally preferable options to process residual material that is generated at the MRF, through composting and/or digestion options. At this time, a management system or solution has not been thoroughly researched.

5. Environmental Impact.

The environmental benefits of maximizing the use of the WTE Facility and the regional System are primary drivers of this Designation Plan. PDSWM is interested in ensuring that landfill rates continue to decrease in the Member Counties, that recycling rates increase, and that as much remaining Acceptable Waste as possible be turned into a valuable commodity. PDSWM is also wanting to continue associated greenhouse gas emissions reduction benefits associated with all of the above actions.

a. Environmental Benefits of the Designated Facility.

The WTE Facility serves the identified needs of the region and provides an alternative solid waste management option for the Member Counties that is ranked higher on the Minnesota waste hierarchy than landfilling. Implementation of designation and directing waste to the WTE Facility is also consistent with recommendations in MPCA's Solid Waste Policy Report by providing continued local leadership and creating strong regional intergovernmental partnerships that can effectively manage solid waste. The WTE Facility and regional System provide these benefits to the region, and also increase the lifespan of existing landfills.

b. Public Health and Safety Benefits.

The major public health and safety benefits of designation stem from managing waste in state-of-the-art waste processing and recycling facilities that are heavily monitored and regulated to reduce the release of pollution into the environment. The public will also benefit from the protection of air and water quality and reduced environmental risks compared to landfilling or individual treatment on site (which includes open burning and/or burial of wastes in rural areas).

c. Comparison to Alternatives.

It remains the case that waste disposal methods that fall lower on the State's hierarchy, such as regional landfills, continue to have lower fees than methods that are higher on the hierarchy. This difference is exhibited in the lower tipping fees available at regional landfills as compared to the costs required to operate a waste processing facility such as those at the WTE Facility. Thus, the main alternative to designation and the operation of the WTE Facility is more extensive use of landfilling.

Waste-to-energy is higher on the State's waste management hierarchy because it has fewer adverse environmental health and safety impacts and more such benefits than landfilling. For example, particulate, and greenhouse gas emissions would likely increase if PDSWM opted to utilize or allow more landfilling due to the greater distances haulers would have to drive to a MMSW landfill located outside the Member Counties, and incremental increase in the use of conventional fuels to create steam for heating instead of the energy from the WTE Facility.

d. Reduction in Greenhouse Gases.

Utilizing resource recovery technologies significantly reduces the amount of life-cycle greenhouse gas ("GHG") emissions produced in comparison to landfilling alternatives (even with methane recovery). According to the EPA, there are three primary ways modern waste-to-energy facilities do this:

- 1) the renewable power produced offsets other carbon intensive power sources;
- 2) modern facilities like the WTE Facility are including MRFs that increase ferrous and nonferrous metal recycling that in turn decrease the need for energy intensive mining operations; and
- 3) the facilities avoid methane emissions associated with landfilling operations.

The relative GHG implications of waste-to-energy facilities have been coming into sharper focus over the past decade or more. In 2002, researchers studied waste management activities across the country and found that waste-to-energy facilities nation-wide avoided 5 Million Metric Tons of Carbon Equivalent ("MMTCE") emissions by displacing other power generation and another 6 MMTCE by avoiding methane emissions. Later research has continued

to confirm that management of MMSW involving a modern waste-to-energy facility is a vastly superior solution in terms of avoiding GHG emissions in comparison to other conventional technologies, including those with methane recovery on landfill operations.

In addition to displacing conventional electric power generation, the WTE Facility displaces the use of natural gas to produce steam. This may also be important from a long-term economic standpoint as natural gas pricing may in the future have more volatility.

6. Coordination of Solid Waste Management Among Political Subdivisions.

The Member Counties coordinate solid waste management among political subdivisions in the region primarily through the JPA, operation of the WTE Facility and the other facilities, cooperation with municipalities, joint solid waste management planning, and now this joint Designation Plan. Each Member County has approved this Designation Plan and will be implementing a corresponding designation ordinance to ensure that waste generated in the Member County is delivered to the WTE Facility. Because successful operation of the WTE Facility is PDSWM's foremost responsibility, along with associated regional planning, the designation of waste to support its long-term operation is critical to the regional cooperation and goals.

7. Orderly and Deliberate Development and Financial Security of Waste Facilities.

The Member Counties have invested in a regional System that moves each Member County up on the State's hierarchy in terms of environmental solutions for waste management. It is in the interest of the citizens of the Member Counties to designate waste so the Member Counties can assure delivery of all Acceptable Waste to operate the WTE Facility. Because the systems that are higher on the State's waste hierarchy increasingly address the environmental impacts of waste disposal, they are often more costly. In this case the direction of Acceptable Waste to the WTE Facility, combined with tipping fees that adequately cover these costs, ensures that waste generators ultimately pay costs that are closer to the full costs of managing the waste they produce.

The development of facilities that meet higher environmental standards, such as the WTE Facility, generally requires higher capital costs than for the development of other waste management methods that fall lower on the State's hierarchy. Because these higher capital costs create heightened financial risk for the Member Counties involved, opportunities to reduce the exposure and risk to Member Counties and their residents and businesses on their investment should be taken. Waste assurance through delivery agreements and designation reduces the risk of uncertain waste supply and the financial implications that accompany it, such as reduced tipping fee revenue and commodity and steam sales.

**B. Estimated Revenues and Expenses.**

1. Direct Costs: Operating Costs

Various factors will influence the operating costs as well as the sources of revenues for the expanded WTE Facility. Waste designation is not contingent upon the proposed expansion plans described above because the Member Counties need to ensure their assets (WTE, MRF facilities and related financial bonding obligations) are on sound financial ground to operate long term as a successful system. Waste Designation ensures that all Acceptable Wastes generated in Member Counties are designated to the PDSWM WTE Facility. Contracted counties (Stevens, Grant, Tri-County North) have long-term delivery agreements with PDSWM. Haulers in Pope and Douglas Counties do not have contractual delivery agreements with PDSWM but will have that as an alternative during the waste designation process.

The table below illustrates projected costs and revenues in five year increments out to 2035. The projections are based on currently available information and reasonable assumptions based on years of experience operating the WTE Facility. Annual cost of operations at the WTE Facility are expected to be roughly \$10 million in 2025, increasing steadily over time to approximately \$12.7 million by 2035. Total operating revenues are projected to be at nearly \$10 million in 2025. Over 70 percent of the revenues in any given year are based on the tipping fees associated with the delivered waste, making assurance of that waste critical to successful operation of the WTE Facility. Further, the revenues associated with the recyclables and steam sales are directly correlated with the amount of waste delivered to the WTE Facility.

**POPE/DOUGLAS  
SOLID WASTE MANAGEMENT**

**JOINT WASTE DESIGNATION PLAN**

<b>Pope/Douglas Solid Waste Management</b>	<b>2019</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
Tip Fee - \$ per ton	\$ 80.08	\$ 83.28	\$ 95.00	\$ 104.00	\$ 115.00
Annual Throughput - Tons	81,500.00	78,800.00	85,500.00	85,500.00	85,500.00
<b>Tipping Fees</b>	\$ 6,526,520.00	\$ 6,562,464.00	\$ 8,122,500.00	\$ 8,892,000.00	\$ 9,832,500.00
Recovered Recyclable Revenues	\$ 550,000.00	\$ 500,000.00	\$ 900,000.00	\$ 900,000.00	\$ 900,000.00
Steam Sales	\$ 950,000.00	\$ 950,000.00	\$ 1,000,000.00	\$ 1,050,000.00	\$ 1,100,000.00
<b>Total Operating Revenues</b>	<b>\$ 8,026,520.00</b>	<b>\$ 8,012,464.00</b>	<b>\$ 10,022,500.00</b>	<b>\$ 10,842,000.00</b>	<b>\$ 11,832,500.00</b>
<b>Labor</b>	\$ 3,199,022.00	\$ 3,270,841.94	\$ 3,794,176.65	\$ 4,395,738.00	\$ 5,095,865.00
Plant Operations	\$ 2,696,300.00	\$ 2,176,300.00	\$ 2,522,928.00	\$ 2,924,765.00	\$ 3,390,604.00
Office Operations	\$ 124,100.00	\$ 124,100.00	\$ 143,866.00	\$ 166,780.00	\$ 193,344.00
Professional Services	\$ 146,000.00	\$ 196,000.00	\$ 227,218.00	\$ 263,408.00	\$ 305,362.00
HHW and Recycling Services	\$ 425,500.00	\$ 385,000.00	\$ 446,320.00	\$ 517,408.00	\$ 599,817.00
Insurance	\$ 528,754.00	\$ 528,754.00	\$ 612,970.00	\$ 710,601.00	\$ 823,782.00
Utilities	\$ 441,150.00	\$ 441,150.00	\$ 511,414.00	\$ 580,000.00	\$ 680,000.00
Building Maintenance	\$ 147,242.00	\$ 147,242.00	\$ 147,242.00	\$ 147,242.00	\$ 147,242.00
Equipment Maintenance	\$ 1,525,000.00	\$ 1,525,000.00	\$ 1,525,000.00	\$ 1,525,000.00	\$ 1,525,000.00
<b>Total Operating Expenses</b>	<b>\$ 9,233,068.00</b>	<b>\$ 8,794,387.94</b>	<b>\$ 9,931,134.65</b>	<b>\$ 11,230,942.00</b>	<b>\$ 12,761,016.00</b>
<b>Operating Income (Loss)</b>	<b>\$ (1,206,548.00)</b>	<b>\$ (781,923.94)</b>	<b>\$ 91,365.35</b>	<b>\$ (388,942.00)</b>	<b>\$ (928,516.00)</b>
<b>Non-Operating Revenue (Expense)</b>					
Interest Earnings	\$ 60,000.00	\$ 60,000.00	\$ 80,000.00	\$ 80,000.00	\$ 85,000.00
Solid Waste Service Fee	\$ 2,482,438.00	\$ 2,482,438.00	\$ 2,482,438.00	\$ 2,482,438.00	\$ 2,482,438.00
SCORE	\$ 174,000.00	\$ 180,000.00	\$ 200,000.00	\$ 210,000.00	\$ 220,000.00
HHW Stipend	\$ 27,000.00	\$ 27,000.00	\$ 30,000.00	\$ 32,000.00	\$ 34,000.00
Transfer to Capital Equipment Replacement Fund		\$ (350,000.00)	\$ (350,000.00)	\$ -	\$ (350,000.00)
Transfer from Capital Equipment Replacement Fund	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Debt Service:</b>					
Bond Principal & Interest Payment	\$ 1,278,118.76	\$ 1,384,340.94	\$ 2,426,956.26	\$ 2,417,855.00	\$ 1,142,072.50
<b>Total Non-Operating Revenue (Expense)</b>	<b>\$ 1,465,319.24</b>	<b>\$ 1,015,097.06</b>	<b>\$ 15,481.74</b>	<b>\$ 386,583.00</b>	<b>\$ 1,329,365.50</b>
<b>Net Income</b>	<b>\$ 258,771.24</b>	<b>\$ 233,173.12</b>	<b>\$ 106,847.09</b>	<b>\$ (2,359.00)</b>	<b>\$ 400,849.50</b>

- a. Direct Costs: Capital Debt Service. The table above includes the assumed increased debt service costs for the expansion at the Facility starting in 2023. PDSWM is currently seeking CAP funding (\$9 million) to upgrade its programs and facilities in the near future. As part of the CAP request, PDSWM would bond for an additional \$9.9 million. PDSWM has current bond obligations of \$18 million. Total on-going and proposed financial obligations would total up to \$27.9 million.
- b. Direct Costs: Disposal Costs. Future waste generation is expected to grow as population increases on a per-capita basis over time in the region. Regional disposal options are limited. Tipping fees at regional landfills are generally between \$30/ton and \$70/ton. While the tipping fees are considerably lower at some regional landfills, they do require more distance traveled to deliver waste, which would add significant additional costs. PDSWM is also concerned about reliance on landfills as they are outside of the control of the Member Counties, and the relative uncertainty surrounding the permitted capacity of these facilities. While they may seek additional capacity in the future, there is no guarantee it will be available

and the associated tipping fees are an additional unknown. Uncertainties over future landfilling capacity and costs aside, ultimately this Designation Plan will help to overcome unfavorable economics that continue to favor delivery to landfills.

2. Indirect Costs.

- a. Enforcement. Many rural residents historically disposed of solid waste on their own property, including by burning it in various manners. While the trend toward contracted waste collection and disposal service is increasing, there is still some waste disposed of improperly in each of the Member Counties. The solid waste management ordinance in each County addresses improper disposal and each County plans to enforce the ordinances in such cases.

With regard to the designation of Acceptable Waste to the PDSWM facility, the Member Counties plan to adopt the same basic ordinances to reduce the potential for confusion among haulers and generators and make inadvertent violations less likely. The ordinance will require reporting to the Member Counties on compliance with the ordinance and will include a provision requiring use of Global Position System (GPS) routing software on hauler trucks to ensure compliance. PDSWM will also make every effort to enter into waste delivery agreements with the licensed haulers and self haulers so that the obligations are clear and set forth in enforceable contracts. For those without delivery agreements, the Member Counties will enforce the designation ordinances against violators.

- b. Route Rearrangement. For most haulers, designation should not have a dramatic impact on routes as the primary point of delivery is already the established PDSWM facility.
- c. Other long-term effects. Over the long term, designation should be beneficial to the haulers. It provides a reliable, long-term management method for all haulers. Once the haulers adjust their routes, if necessary, there should be little additional incurred costs due to the designation. As mentioned elsewhere, designation to the PDSWM facility should reduce overall transportation costs for waste disposal in the region – a cost that has been rising over the past decade.
- d. Competition. Without designation or a legal requirement that Pope and Douglas County licensed haulers deliver to the PDSWM designated facility, economic interests may drive waste delivery to lower-priced surrounding landfills – particularly those in Morrison County and North Dakota. These landfills, however, have varying degrees of capacity and may be subject to other county plans or other states' waste management policies over time. Ultimately and over the long term, designation should

benefit generators by providing a secure, long-term disposal option. Designation of all Acceptable Waste generated in the Member Counties is a financial necessity to ensure PDSWM can meet its current and proposed future bond obligations. In the event that the WTE Facility would need to shut down or reduce tons processed, PDSWM has agreements in place to divert waste to the Morrison County Landfill or Gwinner, ND Landfill.

**C. Necessity of Designation for Financial Support of the System.**

Designation is crucial to support the reliable operation and long-term financial viability of the WTE Facility and the regional System. The loss of revenue would be detrimental to cover any bonds used to provide improvements to the System. Other waste assurance methods involve reliance on multiple factors that may be outside the control of the Member Counties and PDSWM, or be much more costly to implement. Without the certainty that waste designation provides the Member Counties' investments in the WTE Facility in particular would be put substantially at risk and the overall use of the WTE Facility and implementation of the System would also be in jeopardy. Loss of the WTE Facility as a central component of each Member County's solid waste management plans could mean a substantial return to landfilling, an increase in overall GHG emissions through greater use of land disposal, loss of renewable steam and/or electricity generation, and a return to waste management activities that fall lower on the State's hierarchy.

**VI. EVALUATION OF ALTERNATIVES TO DESIGNATION**

**A. Background.**

Were economic drivers to be more closely correlated with the State's waste hierarchy, designation may not be necessary. However, it remains the case that waste disposal methods that fall lower on the State's hierarchy have lower fees than methods that are higher on the hierarchy. This difference is exhibited in the lower tipping fees available at regional landfills as compared to the costs required to operate a waste-to-energy facility such as the WTE Facility.

**B. Availability of Less Restrictive Methods for Ensuring Adequate Waste Supply.**

1. Relying on Negotiated Contracts.

While contracting for waste delivery is a less restrictive option than designation, negotiating contracts without designation as a regulatory backup is inefficient in several respects. First it only reaches those haulers willing or available to enter into the contracts and only applies so long as the contract is in effect. If one or more haulers do not enter into a waste delivery agreement, in the absence of waste designation such haulers are likely to have a competitive advantage that has a detrimental impact on the overall waste delivery contracting process. It is subject to the efficiency and effectiveness of the negotiation process and may be costly if it requires substantial incentives to induce parties to enter into the contract. The higher the economic incentives required to induce parties to enter into contracts, the harder it is for the

Member Counties to cover the costs of the WTE Facility. Furthermore, the contracting process may not reach self-haulers, whereas designation will. While the PDSWM will seek to negotiate contracts with the licensed haulers, plans to have designation ordinances in place in each Member County will serve as a crucial safety net by making designation apply to those without waste delivery agreements.

2. Publicly Owned Collection Services.

There are no publicly owned collection systems in the Member Counties. PDSWM could consider investing in the equipment necessary to operate a publicly owned collection service, and establishing the administrative infrastructure and personnel to implement public collection in each of the Service Areas. This however would be an enormously expensive and administratively burdensome undertaking for the PDSWM and could replace the current system of private collection that already exists in the region. Further it would distract limited PDSWM staffing and financial resources from their primary focus, which is the safe and reliable operation of the WTE Facility and overall regional System. Overall, the region as a whole depends heavily on private collection and it would be a hugely disruptive, expensive, and potentially inefficient undertaking to redo the existing system with public collection.

3. Enforcement of Public Entities Statutes.

Minn. Stat. §§115A.46-47.1 together provide that county solid waste plans govern the solid waste management activities of all public entities within the county's jurisdiction. Thus, public entities, including municipalities that control collection of solid waste and contract for the collection of such waste, are required to have their waste delivered to the PDSWM Facility. However, as noted above, there are no publicly owned collection systems operating within the two Member Counties and there are few municipally controlled or organized systems. Further, such systems often only address residential solid waste. Although the public entities statutes do assist in the delivery of some of the Acceptable Waste generated within the two Member Counties to the WTE Facility, the statutes alone do not solve or address the comprehensive approach provided by the waste designation statutes and process.

4. Closure of Landfills.

The landfills being used by haulers operating in the Member Counties are generally located in other counties. PDSWM has no ability to order the closure of landfills located in other jurisdictions. All Acceptable Wastes generated in Member Counties will be designated to deliver to the PDSWM WTE Facility. The Facility's MRF is set up to act as a Transfer Facility in the event that the WTE Facility needs to be closed due to facility maintenance or other events that may prevent the WTE Facility from accepting waste.

**C. Conclusion.**

Ultimately PDSWM finds that designation is the most comprehensive, fair and economically efficient means of ensuring delivery of Acceptable Waste generated in the Member Counties to the WTE Facility. Designation ordinances in the Member Counties will create the

necessary and direct legal requirement that waste be delivered to the WTE Facility for the term necessary to ensure success. Furthermore, it helps assign the full cost of the solid waste management system to the waste generators. The Member Counties will seek to negotiate contracts as required in the designation process, and to the extent that contracts are secured, waste will be delivered pursuant to the contracts. If the contract is breached it will be enforced. Haulers without waste delivery agreements that violate the Waste Designation ordinance would be subject to enforcement action. Without the security and reliability that designation provides, PDSWM will face significant long-term financial risks associated with operation and maintenance of the WTE Facility and the risks of not meeting each Member County's solid waste management goals.

Most importantly this Designation Plan signifies the regional collaboration of the Member Counties in developing a vastly more integrated solid waste management system that moves management practices up on the State's hierarchy. It also ensures efficient operation of the regional WTE Facility that simultaneously displaces natural gas and increases the lifespan of existing landfills in the region. Overall, the Designation Plan helps advance each of the five goals listed in Minn. Stat. § 115A.02 a in a significant manner.

**ATTACHMENT A**  
**JOINT POWERS AGREEMENT**

**ATTACHMENT B**

**PDSWM JOINT SOLID WASTE PLAN**

## ATTACHMENT C

### UNACCEPTABLE WASTE

Any objects or Solid Waste loads of a size or nature that cannot be physically accommodated by the combustion units, including but not limited to:

- Hazardous Waste;
- explosive waste;
- liquid waste of any type in large quantities;
- radioactive waste;
- steel banding;
- animal remains in large quantities;
- paint and solvents;
- gasoline and inflammable liquids;
- used auto oil;
- propane tanks;
- aerosol cans;
- hospital waste which is infections, inflammable or toxic;
- human remains;
- tires in large quantities (in single loads);
- large car parts, including gasoline tanks, hardened steel shafts, engine blocks and steel wheels;
- large metal items;
- steel fence materials;
- large wood items;
- demolition or building waste including sheetrock;
- pesticides, insecticides, chemicals, or other toxic materials (when not normally in residential or commercial waste);
- PVC plastics (in large quantities such as waste from a plastic plant);
- electronic waste (e waste);
- appliances;
- yard waste such as leaves, grass, or branches;
- mattresses; and
- any other material required by any governmental agency or unit having appropriate jurisdiction to be disposed of at specifically designed, constructed, and licensed or permitted disposal facilities.

Note: This list of Unacceptable Waste may be modified as needed by PDSWM.

**ATTACHMENT D**  
**MAPS OF SERVICE AREAS**

**THIRD AMENDED  
JOINT POWERS AGREEMENT**

THIS JOINT POWERS AGREEMENT made this 2 day of April, 2019, between the counties of Douglas and Pope which are both political subdivisions of the State of Minnesota.

WHEREAS, the parties previously entered into a **JOINT POWERS AGREEMENT FOR SOLID WASTE MANAGEMENT** dated the 7th day of December, 1983, which was amended by a Joint Powers Agreement dated April 9, 1997, and a Second Amended Joint Powers Agreement dated August 22, 2003; and,

WHEREAS, the parties now desire to change the amended agreement that existed between them and desire to substitute this agreement for the original and amended agreement; and,

WHEREAS, the parties to this agreement are authorized to jointly conduct solid waste planning and management activities pursuant to Minn. Stat. §400.04 and §471.59;

NOW, THEREFORE, IT IS AGREED by and between the parties for good and valuable consideration as follows:

**Section 1. PURPOSE:** The purpose of this agreement shall be to provide for the joint operation and management of an integrated solid waste system (the "System"), including waste-to-energy facilities; to furnish solid waste management planning services for the parties hereto; and to enhance the capacity of the parties hereto in the enforcement of all laws, ordinances, and resolutions regulating the generation, storage, transportation and disposal of solid waste in Pope and Douglas Counties.

**Section 2. JOINT POWERS BOARD ESTABLISHED.** Pursuant to Minn. Stat. §471.59, Subd. 11, by resolution of the Boards of Commissioners, the parties hereby establish an agency to facilitate the joint exercise of common powers in furtherance of the purpose of this

agreement. The name of this joint agency shall be the *Pope/Douglas Joint Solid Waste Management Board (herein the "JOINT BOARD")*. This is the name that shall be utilized by the **JOINT BOARD** when entering into any legal contracts and for all lawful proposes.

A. **Composition.** The **JOINT BOARD** shall consist of five appointed members. Three members shall be appointed by the Douglas County Board of Commissioners and two members shall be appointed by the Pope County Board of Commissioners. At least one of the members appointed by each county board shall be a duly elected county commissioner seated in the appointing county. Neither County Board shall appoint a functional majority of its own body to be seated on the **JOINT BOARD**.

B. **Terms of Board Members; Removal Death or Disability.** The term of each board member shall as determined by the County Board that appoints the Board member. The Board member shall serve at the pleasure of the appointing County Board.

C. **Conduct of Meetings.** A majority of the members shall constitute a quorum and the Board shall be governed by the most recent edition of *Robert's Rules of Order*. Each member of the **JOINT BOARD** shall be entitled to one vote and any action taken by the **JOINT BOARD** shall be approved by majority vote.

If any member is unable to attend a meeting in person, the member may participate in the meeting by electronic communication in the same manner as if the member were present in person.

D. **Election of Officers.** Notwithstanding any other provision herein, the **JOINT BOARD** shall meet at least annually. At the first meeting of the **JOINT BOARD** following January 1 in each year, the Board shall by majority vote elect a chair and vice-chair. The term of each of these officers shall be for one calendar year, but each officer shall continue in his or her elected capacity until a successor is elected and qualified.

The chair shall be responsible for running the meetings of the **JOINT BOARD**, and in the absence of the chair, the vice-chair shall perform this function.

The **JOINT BOARD** shall also annually elect a recording secretary its membership provided, however, that the **JOINT BOARD** may assign this function to an executive director or other qualified employee of the **JOINT BOARD** in lieu of filling this office.

E. **Regular Meetings.** The **JOINT BOARD** shall meet regularly at such intervals and at such time and place as the Board shall designate. A schedule of such meetings shall be kept on file at the primary office of the **JOINT BOARD** located at 2115 South Jefferson, Alexandria, Minnesota 56308. Special meetings may be held at any time subject to the call of the chair of the **JOINT BOARD** or demand of any two **JOINT BOARD** members pursuant to the provisions of Minn. Stat. §471.705.

F. **Compliance with Open Meeting Law.** The parties hereto acknowledge that the **JOINT BOARD** is an agent of the governmental entities that are parties hereto. It is agreed that all meetings of the **JOINT BOARD** must conform to the notice and distribution of information requirements of Minn. Stat. §471.705.

G. **Compensation of Joint Board.** The **JOINT BOARD** shall annually recommend the amount of compensation to be paid to each member hereto which shall be submitted as a line item within the **JOINT BOARD'S** annual budget recommendation. All members appointed to the **JOINT BOARD** shall be compensated at a uniform rate.

H. **Powers and Duties.** The **JOINT BOARD** shall have power and authority necessary and needed to satisfy the purposes of this Joint Powers Agreement, except as reserved in this agreement, and it shall be the duty of the **JOINT BOARD** to exercise such powers in furtherance of such powers. Specifically, the **JOINT BOARD** may and shall:

1. Maintain, and operate any solid waste management system, together with any and all real and personal property jointly owned by the parties hereto in furtherance of the purposes stated herein.
2. Devise, implement, administer, and operate any recycling program, as defined in Minn. Stat. §115A.03, Subd. 25b, or other source reduction program which it may deem appropriate and advisable, and to prepare and present requests and recommendations to the parties hereto for any ordinances or resolutions necessary to such program.
3. Administer, operate and maintain any ash and/or by-pass landfill or other source reduction program which it may deem critical and necessary for the purposes of this agreement, and to prepare and present requests and recommendations to the parties hereto for any ordinances or resolutions necessary to such program.
4. Purchase and lease materials, equipment, machinery and such other personal property as is necessary for the purposes hereof, subject to the Uniform Municipal Contracting Law as set forth in Minn. Stat. §471.345.
5. Sell, lease, convey or otherwise dispose of any personal property held for solid waste management purposes, upon determination that it is no longer needed for such purposes, or, upon approval of both parties hereto, may transfer such property to either party hereto for any other lawful county purposes. Property disposed of pursuant to this provision shall be sold, leased and conveyed upon advertisement for bids in accordance with Minn. Stat. §373.01.
6. Contract for services necessary to further the purposes of this agreement including but not limited to legal, management, planning, facility maintenance, office equipment maintenance and other necessary services.
7. Hire and compensate an executive director to perform the functions and duties set forth herein and to hire and compensate such other employees as it deems reasonable and necessary.
8. Collect and maintain data on an ongoing basis upon which the base future waste management planning decisions. Such data shall include, but is not limited to: population of each county; seasonal population trends of each county; source and quantity of waste generated within each respective county, numbers of individual parcels of real estate and real estate trends in each county.
9. Prepare or provide for surveys and plans to determine locations available, appropriate, and suitable for property and facilities needed for the programs and facilities owned, operated or administered by the **JOINT BOARD**, and for the improvement of property and facilities owned pursuant to this agreement.
10. Submit budgetary and operational recommendations to both parties hereto on an annual basis. Such recommendations should at a minimum identify all revenue generated by the **JOINT BOARD'S** activities during the preceding year,

summarize the financial condition of the parties' joint waste management efforts, and identify any anticipated need for tax levies, bonding authority or changes in service fees or tipping fees.

11. Furnish recommendations at such time as the **JOINT BOARD** deems necessary and property regarding the following:
  - (a) establishment and or modification of waste management service areas, as defined in Minn. Stat. §400.08, within the counties of Pope and Douglas;
  - (b) imposition of service charges and or levy of taxes within such service areas in furtherance of the purposes of this agreement;
  - (c) the manner and timing of collection of such charges as the parties may impose in furtherance of this agreement in a manner consistent with Minn. Stat. §400.08, Subd. 4;
  - (d) establishment or modification of ordinances to be adopted by the parties hereto regarding solid waste and sewage sludge management for the purposes set forth in Minn. Stat. §400.16;
  - (e) establishment and or modification of ordinances to be adopted by the parties hereto regarding identification, labeling, collection, processing, storage and disposal of hazardous waste for the purposes set forth in Minn. Stat. §400.161; and,
12. Maintain a solid waste management fund within the Douglas County treasury for the purposes set forth in Minn. Stat. §400.13.
13. Accept gifts, grants or loans of other property from the United States of America, the State of Minnesota, or any agency or subdivision thereof, or from any other source, for any reason in furtherance of the purposes of this agreement; may enter any agreement required in connection therewith, for repayment or otherwise, and may hold, use, and dispose of such money or property in accordance with the terms of the gifts, grant, loan or agreement.
14. Hire and employ an executive director and such other staff as the **JOINT BOARD** deems necessary to meet the objectives of the **JOINT BOARD** and the purposes of this agreement.

**Section 3. EXECUTIVE DIRECTOR: POWERS AND DUTIES.** If the **JOINT BOARD** elects to hire an executive director, such executive director may function as the recording secretary and reporting treasurer for the **JOINT BOARD** and, in the **JOINT BOARD'S** discretion, may also be authorized and directed to perform any and all of the following duties:

1. To assume responsibility for hiring, placement and supervision of all employees of the **JOINT BOARD** and all personnel relations requirements associated with the **JOINT BOARD'S** activities.
2. To purchase or acquire any and all personal property necessary for the operation of any property, facility or program owned, operated or maintained by the **JOINT BOARD** for the purposes of this agreement.
3. To provide for the planning, scheduling, and conduct of all business incidental to the operation of the **JOINT BOARD** including the purchase of all supplies, materials and services required.
4. To examine regularly the books, papers and accounts of the **JOINT BOARD** and all property, facilities and programs owned, operated, or maintained by the **JOINT BOARD** and to report to the **JOINT BOARD** the condition in which the executive director finds them and other information as the **JOINT BOARD** may direct.
5. To submit to the **JOINT BOARD** recommendations concerning the affairs of the **JOINT BOARD** and all of its property, facilities and programs, its future financial needs and the future needs of the property facilities and programs owned, operated or maintained by the **JOINT BOARD**.
6. To see that all orders, resolutions and directives of the **JOINT BOARD** are faithfully executed.
7. To initiate and present an annual report and a proposed annual budget to the **JOINT BOARD** for review and consideration and, upon adoption of a proposed budget by the **JOINT BOARD**, to prepare and transmit such recommended budget to each party hereto for consideration by each County Board during its annual budget cycle.

**Section 4. ANNUAL BUDGET:** The **JOINT BOARD** shall prepare an annual budget recommendation for submission to the Pope and Douglas County Board of Commissioners. The proposed budget shall be submitted as required to meet the timing needs of each party during its annual budget cycle. The proposed budget shall be presented in reasonable detail and summary information concerning individual items shall be supplemented upon request of either County Board. The parties shall set the budget in the amount recommended by the **JOINT BOARD** unless the budget or any line item thereof is rejected by both parties hereto. In that event, each party shall identify specific reasons for rejecting the recommendation and the matter so disapproved shall be returned to the **JOINT BOARD** together with a request for a revised recommendation. If, upon

re-submission, the revised budget proposal or any line item thereof is again rejected by both of the parties hereto, the matter shall be resolved by majority vote at a special joint meeting of the Pope and Douglas Boards of Commissioners.

**Section 5. HANDLING OF ACCOUNTING.** Douglas County shall be responsible for receiving and disbursing all funds received by the **JOINT BOARD** and shall receive and disburse all funds received by the **JOINT BOARD** in accordance with any written agreement between the parties or resolution of one Party with the consent of the other, including a resolution relating to the issuance of debt for the financing or refinancing of improvements to the System, which debt may be issued by either Party with the specific consent, by resolution, of the other Party. The parties hereto shall, in proportion to their respective shares of ownership of the first and second incinerators as set forth below, indemnify and hold Douglas County harmless from any act Douglas County may have done or failed to do while performing this service on behalf of the **JOINT BOARD**.

**Section 6. OWNERSHIP OF REAL AND PERSONAL PROPERTY.** With respect to the first and second incinerators, 25% shall be deemed to be owned by Pope County, and 75% by Douglas County. With respect to the third incinerator, 15% shall be deemed to be owned by Pope County and 85% by Douglas County. With respect to any future improvements to the System, the ownership interests shall be as set forth in concurring resolutions of the parties.

In the event of a termination of this agreement, the real and personal property identified above shall be liquidated and or distributed in the manner and in the proportions of value as set forth herein.

**Section 7. APPOINTMENT OF REVENUE AND EXPENSES.** Unless otherwise agreed to by both parties by written agreement or by resolution of one Party with the consent of

the other, the revenue and expenses attributed to or generated by the facilities, programs, and property owned or maintained by the parties pursuant to this agreement, and any debt service on obligations issued for the benefit of the System, shall be allocated with 75% attributable to Douglas County and 25% attributable to Pope County.

**Section 8. EFFECTIVE DATE.** The Joint Powers Agreement expressed herein was first contemplated and authorized by Douglas County by adoption of a prior Joint Powers Agreement on November 28, 1983, and by Pope County by adoption of a prior Joint Powers Agreement on November 28, 1983. It was subsequently amended by the parties by a Joint Powers Agreement dated April 9, 1997, and a Second Amended Joint Powers Agreement dated August 22, 2003. This agreement reaffirms and ratifies all prior Agreements and actions of the Pope/Douglas County Solid Waste Management **JOINT BOARD** as set forth in the prior joint agreements set forth above and shall be effective on the last date of execution by the appropriate parties.

**Section 9. TERMINATION.** The Joint Powers Agreement shall remain in full force and effect until terminated by either party by giving 180 days written notice to the other party of their intention to withdraw from the terms of this agreement, provided that this Agreement may not be terminated while any obligations issued for the benefit of the System are outstanding. If such a notice is given, the remaining county may, in its discretion, purchase the withdrawing counties' interest in the real and personal property owned by the parties pursuant to this agreement. If the parties cannot agree on the purchase price and/or the method of payment, the parties shall submit this matter to mandatory arbitration. Each party shall select an arbitrator and pay him/her. The two selected arbitrators shall select a neutral arbitrator who shall be paid equally by the parties. A majority of the arbitrators, pursuant to the Rules of the American Arbitration Association, shall hear and decide the issues presented to them which may include without limitation the purchase

price and method of payment for the parties' jointly owned property. The arbitrator's decision shall be binding and final. If either county wishes to purchase the assets jointly owned by the parties pursuant to this agreement, such assets shall be sold to the county which desires to make such a purchase and the proceeds of the sales used to pay any and all debts and obligations of the board. Any proceeds remaining after the payment of all debt shall be distributed in proportion to the parties respective ownership interests as set forth above.

**Section 10. ASSIGNMENT.** Neither party may assign their interest in this Joint Powers Agreement to any other party without the express written consent of the other party.

**Section 11. AMENDMENT.** This agreement may not be amended or modified without the written consent of both parties after resolution by the parties' respective Boards of Commissioners.

**Section 12. REVIEW OF APPORTIONMENT.** The apportionment of ownership interest and allocation of costs and profit among the parties hereto (other than particular apportionments agreed to by both parties for specific purposes), as described in Sections 6 and 7 herein, shall be reviewed by each party no more than two years from the date hereof, and at least once every five (5) years following such review. Each review shall be had at a public hearing and the purpose of the review shall be to determine whether the formula contained herein continues to be fair and appropriate to both parties in light of current demographic and waste stream characteristics of the parties hereto.

**Section 13. ENFORCEMENT OF AGREEMENT.** Failure of either county to timely service loans or bonds issued for the purposes of this agreement or to timely furnish funds as may be required to satisfy the budgetary needs of the Joint Powers Boards as established herein, shall constitute a default. If either party to this agreement alleges that the other party is in default or has

otherwise breached the terms of this agreement, the county alleging the default may initiate suit in the Douglas County District Court. Any Judgment rendered against either party by reason of failure to fully comply with this Joint Powers Agreement shall be enforced in the same manner as any Judgment acquired by law.

COUNTY OF DOUGLAS

By Charlie Meyer  
Chair, Board of Commissioners

Date: 2-19-19

COUNTY OF POPE

By Cody Rogahn  
Chair, Board of Commissioners

Date: 2-19-19



# Minnesota Pollution Control Agency

Marshall Office | 504 Fairgrounds Road | Suite 200 | Marshall, MN 56258-1688 | 507-537-7146

800 657-3864 | 651 282-5332 TTY | [www.pca.state.mn.us](http://www.pca.state.mn.us) | Equal Opportunity Employer

March 15, 2013

Commissioner Dan Olson  
Pope/Douglas Solid Waste Management Board Chairman  
820 Lake St  
Alexandria, MN 56308

RE: Pope/Douglas Solid Waste Management Plan

Dear Commissioner Olson:

As Supervisor of the Compliance and Enforcement Unit of the Minnesota Pollution Control Agency (MPCA), I am pleased to inform you that on March 15, 2013, the Pope/Douglas Solid Waste Management Plan (Plan) was approved. A copy of the Findings of Fact approving your Plan is attached.

The MPCA recognizes the commitment Pope/Douglas Solid Waste Management (PDSWM) has made to the planning process. The MPCA appreciates the hard work that has been done in completing the Plan and developing PDSWM's SCORE programs by Executive Director Peter Olmscheid, and Environmental Coordinator Nathan Reinbold. The MPCA wishes PDSWM continued success as they implement the Plan.

The MPCA hopes that PDSWM will continue to meet and work together with neighboring counties on municipal solid waste (MSW) management programs.

If you have any questions about approval of the Plan, do not hesitate to telephone me at 218-302-6620, the MPCA Regional Planner Arlene Vee at 507-476-4276(O), 507-829-1860(C), or John Pokorney at 218-316-3893.

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Kroening".

Heidi Kroening  
Supervisor, Solid Waste Management Unit  
Duluth Office  
Resource Management & Assistance Division

HK/AV:slm

Attachments

cc: Peter Olmscheid, Executive Director  
Nathan Reinbold, Environmental Coordinator  
Arlene Vee, MPCA, File Copy



**STATE OF MINNESOTA**  
**Minnesota Pollution Control Agency**

**In the Matter of the Approval of  
Pope/Douglas Solid Waste Management's Integrated  
Solid Waste Management Plan**

**FINDINGS of FACT,  
CONCLUSIONS  
ORDER**

**FINDINGS OF FACT**

1. Minnesota Statutes Section 400.04, subd.1, authorizes counties to develop and maintain a solid waste management program, including a solid waste management plan. Solid waste management plan requirements are found in Minn. Stat. §§ 115A.46, 115A.55, subds.6-7, 115A.914, 115A.96, subd.6, 115A.97, 115A.46, subds.1 (f) (g) (2003); and Minn. Rules Ch. 9215 (2009). Comprehensive solid waste management plans are intended to provide a structured analysis of a county's present and future solid waste management needs, and an analysis of alternative means for meeting these needs. Because the waste needs of a county and the availability of waste options are constantly changing, "plans are fluid and subject to change ." In re Need for Land Disposal Capacity for Mixed Municipal Solid Waste for Winona County, No. C5-90-268, 1990 WL 115100, at \*2 (Minn.Ct.App, Aug. 14, 1990). Nevertheless, the plan is an important step in a county's effort to address, in a comprehensive way, the long-term waste management needs of its residents.

2. Minnesota Statute § 115A.02 (b) provides:

“(b) The waste management goal of the state is to foster an integrated waste management system in a manner appropriate to the characteristics of the waste stream and thereby protect the state's land, air, water, and other natural resources and the public health. The following waste management practices are in order of preference:

1. waste reduction and reuse;
2. waste recycling;
3. composting of yard waste and food waste;
4. resource recovery through mixed municipal solid waste composting or incineration;

5. land disposal which produces no measurable gas or which involves the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale; and
6. land disposal which produces measurable methane and which does not involve the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale.”

3. The statutorily required contents of a county solid waste plan is set forth in Minnesota statute § 115A.46 which requires in part that “plans shall address the state policies and purposes expressed in section 115A.02.” Section 115A.46, subdivision 2(c) also provides that the “plans shall require the most feasible and prudent reduction of the need for and practice of land disposal of mixed municipal solid waste.”

4. A Joint Powers Board agreement between Pope County and Douglas County exists for the purpose of the solid waste combustion at the Waste-to Energy (WTE) facility located in Alexandria, Minnesota hereafter known as Pope/Douglas Solid Waste Management (PDSWM). On November 15, 2012, PDSWM, prepared this integrated solid waste management plan (Plan) and submitted it to the Minnesota Pollution Control Agency (MPCA) for final approval. The MPCA staff reviewed it for conformance with the state statutes and rules and found that it satisfied the requirements (See Attachment A). The plan proposes an integrated waste management system that will result, by the year 2021, a total of municipal solid waste (MSW) being reduced by 33.6 percent through recycling. Approximately 53.8 percent of the solid waste generated will be cleaned at the Material Recovery Facility and then used as fuel at the Waste-To-Energy Facility, the non-processables and fines, approximately 11.6 percent of the waste generated will be landfilled. Approximately 1.0 percent of the MSW waste stream will continue to be disposed of on-site.

5. Based on MPCA staff’s review, a recommendation was made to the Compliance and Enforcement Unit Supervisor to approve the plan.

6. On January 14, 2013, the MPCA issued a public notice of intent to approve the Plan. The public notice was published and posted in accordance with the procedures established in Minn. Rules pt. 9215.0850, subp.2.

7. The public notice stated that comments would be received until 4:30 PM, February 13, 2013. Neither the MPCA nor PDSWM received comments on the Plan.

8. PDSWM proposes to implement an integrated solid waste management system involving source reduction, education, recycling, yard waste collection, solid waste incineration and energy recovery, MSW land disposal, waste tire, electronic waste, major appliance, automotive mercury switches, motor vehicle fluids/filters and batteries, household hazardous waste, and demolition debris. Findings 9 through 22 describe each of the system components.

9. The PDSWM Board regards the reduction of solid waste at the source of generation as one of its first priorities in solid waste management. One of the methods of waste reduction involves efforts by the Board and Staff to provide incentives to residents, businesses and public organizations to reduce their waste generation. Parts of the incentives provided occur by requiring volume based pricing for waste disposal. The goal for waste reduction is 3% throughout the 10 year planning period.

10. The primary goal of the PDSWM education program is to increase public awareness of waste management issues by disseminating information on methods and benefits of waste reduction, recycling, yard waste programs, problem waste programs, household hazardous waste programs and legislative efforts being undertaken by the Board and Staff. Efforts of this program will also strive to increase awareness of the waste management system in general, including the operation and features of the ash landfill, WTE and other facilities

11. Recycling requires direct coordination and support by PDSWM. Recycling in the two county area is not mandatory but every citizen is provided an opportunity to recycle. PDSWM will continue to search for markets to expand the type and quantity of recyclables collected in the study

area. It is through the continued expansion of opportunities to recycle and additional types of materials collected, that PDSWM proposes to reach the projected 33.6% base recycling rate by the year 2021.

12. PDSWM assists the residents in the two county area by providing information and education on handling yard waste as there is no or little market for compost in this area. The PDSWM Board encourages backyard composting and mulching of grass clippings as well as better yard management to reduce yard waste generation. This Plan identifies and supports the use of leaves, grass clippings, tree and plant residue, for application and mixing into the soil and use in agricultural practices. This waste stream is captured through curbside programs and yard waste drop-offs and is suitable for use in agricultural practices.

13. In April of 1987 the PDSWM WTE in Alexandria went on line. Since then it has been operating 24 hours per day, 365 days per year. The facility is also continuously open to accept deliveries from Pope and Douglas County private haulers and during contracted times for out-of-county haulers. The WTE is permitted to process 240 tons per day (TPD). During the incineration process 76,000 M pounds per hour of steam at 160 pounds of pressure is generated. The steam is sold through contractual agreements to three nearby entities and the excess steam that they do not use is utilized by the WTE facility for heating purposes and to generate 500 kilowatts of electricity used by the WTE. During 2003 a Materials Recycling Facility (MRF) was constructed to remove recyclables and problem wastes from the waste stream prior to the waste combustion process in the Waste-to-Energy Facility. The PDSWM Ash Landfill, located in Douglas County, began taking ash from the WTE December 5, 1994. The ash landfill is permitted by the MPCA under Permit #SW-410, was reissued in 2010. It is anticipated that the ashes generated from the WTE will continue to be deposited at this landfill throughout the planning period. It is the policy of the Counties to take whatever actions are economically feasible in accordance with best available technology to reduce the toxicity and quantity of ash from the WTE, as well as reducing the quantity of processing residuals that require disposal.

14. It is the policy of PDSWM to reduce the amount of MSW that goes to landfill. There are no MSW land disposal facilities, public or private, operating within Pope or Douglas Counties. In the event that waste is delivered to the Waste-to-Energy Facility in excess of the incineration capacity, the residual MSW is bypassed by the Facility to the Morrison County Landfill located in Little Falls, Minnesota.

15. Douglas County has a solid waste ordinance (SWO) which prohibits unregulated storage and improper disposal of tires. Updated in 1996, this new ordinance meets or exceeds Minnesota Statute 115A.914 and Minnesota Rules ch. 9220.0200 to 9220.0680, expanding considerably on used tire facilities, license requirements, used tire storage requirements, abatement of used tire dumps, and used tire processing facilities. Pope County prohibits unregulated storage and improper disposal of tires through the use of the Pope County Land Use Controls Ordinance (2008), which requires waste disposal to be in compliance with both MPCA Solid Waste Rules and Pope County SWO. Both counties currently enforce very actively their solid waste ordinances which prohibit storage of waste tires on unpermitted sites. The licensed garbage haulers, demolition landfills, and tire dealers will accept and dispose of used tires for a fee.

16. PDSWM requires residents and businesses recycle electronic waste (e-waste) through a State permitted electronics recycler or collector. The Board relies on private electronic collectors/recyclers to provide collection service for a fee. Occasionally, free electronics recycling events are held in the study area. However, these are not regularly scheduled events. As reported in the 2010 SCORE Report, the study area is estimated to have generated a total of 463 tons of electronics for recycling.

18. Appliances were banned from disposal at MSW facilities in July of 1990. As required, PDSWM provides for disposal of major appliances through haulers and businesses in the study area. Used appliances were recovered at a rate of 284 tons in 2010.

19. PDSWM prohibits the disposal of automotive mercury switches in solid waste, solid waste disposal facilities, and solid waste processing facilities, in accordance with Minnesota Statute 115A.932. Furthermore, in 1987, legislation was passed in Minnesota to require all retailers of motor oil to either collect used oil or post signs indicating the nearest location where oil would be accepted. The Board encourages the residents of Pope and Douglas Counties through advertising, handouts and public speaking to comply with Minnesota Statute 115A.916. PDSWM also directs public education efforts on the collection of household and motor vehicle batteries such as lead-acid batteries, as well as certain dry cell batteries that are purchased for use or used by a government agency, industrial, communications, or medical facility, in accordance with Minnesota Statutes 115A.915 and 115A.9155.

20. PDSWM established a permanent household hazardous waste facility in November of 1992. The facility was constructed specifically for the purpose of receiving, recycling, and properly disposing of household hazardous waste from persons of both Pope and Douglas Counties. The building is located adjacent to the PDSWM WTE. The facility is participating in the Minnesota Department of Agriculture's Waste Pesticide Program for collection of residential pesticides. There is also a Product Exchange Program available to residents. PDSWM has an agreement for the operation of a mobile collection system of household hazardous waste with Stearns County Environmental Services

21. It is the policy of the Pope/Douglas Solid Waste Management Board to provide the residents in Pope and Douglas Counties with permitted demolition debris landfills. There are two permitted demolition debris landfills located within the study area, one in Douglas County and one in Pope County. The Pope/Douglas Solid Waste Management Board has no plans to develop a Board owned and operated demolition debris disposal facility.

22. The existing Solid Waste Ordinance for Pope County was brought into effect in May of 1983. The existing Solid Waste Ordinance for Douglas County was brought into effect in October of 1996. The 1996 SW Ordinance is an update from the original version of 1983. The Pope County Solid

Waste Officer is in possession of the 1996 Douglas County Solid Waste Ordinance and has expressed interest in adopting similar policies to amend Pope County's 1983 Solid Waste Ordinance. The Pope County Solid Waste Officer also notes that many of the new policies in the 1996 SWO are already in practice in Pope County.

The MPCA finds that the Plan with the agreed upon conditions satisfy the requirements of Minn. Stat. § 115A.46, 115A.551, subds. 6-7, 115A.914, 115A.96, subd.6, 115A.97 (2000), 115A.46, subd.1 (f) (g) (2003); and Minn. Rules Ch. 9215 (2009). This finding does not constitute a determination of entitlement to any permit that may be required to implement the Plan, nor is it intended in any way to supplant the decision making authority of any other government agency.

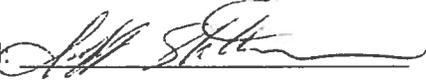
#### **CONCLUSIONS**

- A. The PDSWM Plan meets the requirements of Minn. Stat. § 115A.46, 115A.551, subds. 6-7, 115A.914, 115A.96, subd. 6, 115A.97 (2000), 115A.46, subd. 1(f) (g) (2003), and Minn. Rules Ch. 9215 (2009).
- B. PDSWM has demonstrated a commitment to an integrated solid waste management of the waste generated in Pope and Douglas Counties, by promoting reduction, recycle materials, as required by Minn. Stat. § 115A.551 (2000), resource recovery and landfilling.
- C. The procedure followed by the MPCA in reviewing the PDSWM Plan complied with the requirements of Minn. Rules Ch. 9215.0850, subp.2 (2009).
- D. Findings that might properly be termed conclusions and any conclusions that might properly be termed findings are hereby adopted as such.

**ORDER**

NOW THEREFORE, pursuant to the authority vested in me by Minn. Stat. § 1154.46; subd.1 (3e), the PDSWM Integrated Solid Waste Management Plan is APPROVED with no conditions.

Dated: 3-15-13

Signed: 

*for* Heidi Kroening,  
Supervisor, Solid Waste Management Unit  
Minnesota Pollution Control Agency

Attachment A:           Plan Checklist

**RESOLUTION 1-2013**  
**A RESOLUTION TO APPROVE AND ADOPT THE**  
**POPE/DOUGLAS SOLID WASTE MANAGEMENT JOINT POWERS BOARD**  
**SOLID WASTE MANAGEMENT PLAN**

WHEREAS, the legislature of the State of Minnesota requires that Minnesota's counties develop a Solid Waste Management Plan Update (Update) in accordance with Minn. Stat. §§ 115A.46; 115A.417; 115A.551, subds. 6-7; 115A.552; 115A.557, subd. 2-3; 115A.63; 115A.84; 115A.914; 115.96, Subd.6-7; 115A.917; 115A.97; Minn. Rules 9215 and all other applicable statutes and rules; and

WHEREAS, Minnesota counties recognize the need to plan for and practice environmentally sound methods of managing their solid waste stream;

WHEREAS, in 1989, the legislature of the State of Minnesota enacted legislation to require that Solid Waste Management Plan Updates be amended to include the requirements in Minn. Stat. §§ 115A.551, 115A.914 and 115A.96, Subd. 6 (1991); and

WHEREAS, Pope/Douglas Solid Waste Management Joint Powers Board recognizes the need to plan for and implement waste reduction, recycling, education, yard waste, source separated organic materials composting, special and problem material waste management strategies, and processing of MSW;

NOW, THEREFORE, BE IT RESOLVED, that the Pope/Douglas Solid Waste Management Joint Powers Board hereby approves and adopts the Pope/Douglas Solid Waste Management Plan and supporting documentation, dated February 21, 2013

BE IT THEREFORE FURTHER RESOLVED, that Pope Douglas Solid Waste Management agrees to maintain and implement the Plan Update as required by Minn. Rules pt. 9215.0530, subp. 1 and 2.

BE IT THEREFORE FURTHER RESOLVED, that the Pope/Douglas Solid Waste Management Joint Powers Board submits this document to the Commissioner of the Minnesota Pollution Control Agency pursuant to applicable Minnesota laws and rules.

*Adopted this 21st day of February, 2013 by the Pope/Douglas Solid Waste Management Joint Powers Board.*

Signed: \_\_\_\_\_

Dan Olson, Board Chairman

Pope/Douglas Solid Waste Management

Attest: \_\_\_\_\_

Peter A. Olmscheid, Executive Director

Pope/Douglas Solid Waste Management

# 2012 Solid Waste Plan

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## Pope/Douglas Solid Waste Management

Peter Olmscheid, Executive Director  
Nathan Reinbold, Environmental Coordinator

2/21/2013



Final Plan Prepared by:  
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## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b>	<b>4</b>
<b>BACKGROUND INFORMATION</b>	<b>6</b>
Demographic, Geographic, and Regional Information	7
Solid Waste Collection and Generation	12
Construction and Demolition Debris	13
Major Solid Waste Generators	14
Local and Regional Solid Waste Planning – 10 Year Review	15
<b>EXISTING INTEGRATED SOLID WASTE MANAGEMENT SYSTEM</b>	<b>16</b>
<b>SOLID WASTE SYSTEM EVALUATION AND 10 YEAR IMPLEMENTATION PLAN</b>	<b>18</b>
Existing System	18
Solid Waste Education Programs	20
Recycling Programs	22
Yard Solid Waste Management Programs	25
Source-Separated Organic Materials Composting	27
Municipal Solid Waste Composting Facilities	28
Solid Waste Incineration and Energy Recovery Programs	29
MSW Land Disposal Facilities	32
Solid Waste Tire Management Programs	33
Electronic Products Management Programs	35
Major Appliance Management Programs	37
Automotive Mercury Switches, Motor Vehicle Fluids/Filters, Battery Programs	38
Household Hazardous Solid Waste Management Programs	40
Demolition Debris Management Programs	42
Solid Waste Ordinance and Licensing	44
Solid Waste Staffing	45
Solid Waste Program Funding	46
Plan Review and 10 Year Update	47
Alternatives to Proposed System	48
Environmental and Public Health Impacts	49
Public Participation Program	50

## Appendices

<b>GOAL VOLUME TABLES</b>	<b>Appendix A</b>
<b>BUDGET TABLES</b>	<b>Appendix B1-B7</b>
<b>DOUGLAS COUNTY EXISTING AND FUTURE LAND USE MAPS</b>	<b>Appendix C</b>
<b>POPE COUNTY ZONING MAP</b>	<b>Appendix D</b>
<b>MSW COMPOSITION STUDY RESULTS</b>	<b>Appendix E</b>
<b>JOINT POWERS AGREEMENT</b>	<b>Appendix F</b>
<b>SCORE REPORT for 2010</b>	<b>Appendix G</b>
<b>AIR EMISSION COMPLIANCE TEST RESULTS 2007-2011</b>	<b>Appendix H</b>
<b>ASH TEST RESULTS for Combined and Fly Ash 200-2011</b>	<b>Appendix I</b>
<b>INSPECTION AND MONITORING RESULTS 2007-2011</b>	<b>Appendix J</b>
<b>DOUGLAS COUNTY SOLID WASTE DESIGNATION DRAFT ORDINANCE</b>	<b>Appendix K</b>
<b>SOLID WASTE ORDINANCES – POPE AND DOUGLAS COUNTIES</b>	<b>Appendix L</b>

## EXECUTIVE SUMMARY

The Pope/Douglas Solid Waste Management's Solid Waste Management Plan reviews the existing and proposed solid waste abatement programs and policies and solid waste management activities to 2021. This plan proposes continuation of the county's current solid waste programs expanding and improving certain programs with an emphasis on waste abatement, education, household hazardous waste, recycling and problem materials removed from the waste stream. The Plan includes a Goal Volume Table (Appendix A) and a Budget (Appendix B) which illustrate projections for the next 10 years. Explanations of the solid waste management and recycling programs outlined below are found in detail within the Plan.

The existing solid waste system provides the framework for public entities, such as municipalities and school districts, to comply with recycling and solid waste management requirements. These requirements are found in Minnesota Statutes 115A.151 Recyclable Material Container Requirements; Public Entities and 115A.471 Public Entities; Management of Solid Waste. This Plan outlines the preferred methods of solid waste management, which are listed below as the existing system. This Plan governs all solid waste management practices. In accordance with MN Statute 115A.45 Subd. 5(a), a public entity may not implement solid waste activities that are inconsistent with this plan without consent from PDSWM. PDSWM supports public entities wishing to institute organized collection as defined in MN Statute 115A.94.

Pope/Douglas Solid Waste Management's existing system includes:

- A Joint Powers Board agreement between Pope County and Douglas County for the purpose of the solid waste combustion at the Waste-to-Energy facility located in Alexandria, Minnesota hereafter known as PDSWM.
- Using Waste-to-Energy as the preferred method of solid waste management for solid waste generated within the Plan area which is not captured through the Plan's Waste Abatement Programs.
- Use of a Material Recovery Facility as a fuel cleaning system.
- Combustor ash deposited in the PDSWM Ash Monofill located just east of Hoffman, in Douglas County.
- A PDSWM owned, operated, and supervised recycling drop off center in Alexandria that is open six days a week for the residents of 25 cities and townships to utilize.
- A PDSWM owned, operated and supervised mobile recycling trailer that is located in Glenwood and Starbuck one day a week each, which provides more recycling opportunities for residents who are located in and around those communities.
- Subsidized residential curbside recycling services and a recycling station, provided by licensed haulers.
- A permanent site, year around HHW/Reuse Facility that is open five days a week for residents to drop off HHW items or to pick up items from the Reuse Center located in Alexandria and owned by PDSWM.
- Subsidized Yard Waste Collection Programs serviced by licensed private haulers
- Waste Reduction Programs
- Fluorescent tube recycling programs

- Used motor oil and oil filter recycling program
- Lead acid battery collection
- Extensive Waste Education Programs

Construction of a state of the art material recycling facility (MRF) was completed during 2003. The MRF removes recyclables from the waste stream through hand sorting and magnetic separation. The MRF also removes problem items and items that could cause higher emissions from the waste combustors from the waste stream. Some of the items removed that could increase emissions are: lead acid batteries, mercury switches, thermostats and gypsum board (sheet rock). In short, the MRF is a fuel cleaning system.

During 2010 and 2011 PDSWM added a third waste combustor to its waste to energy facility. Twenty year waste delivery contracts were signed with the Tri-County Group (Stearns, Benton and Sherburne counties) on May 20, 2010, Stevens County on November 19, 2009 and a ten year contract with Grant County on December 29, 2010. These contracts allowed the waste to energy facility to be at full capacity as soon as Unit 3 came on-line. The Unit 3 expansion doubled waste combustion capacity from 120 tons per day to 240 tons per day.

The PDSWM Board and staff anticipate that the existing solid waste programs and proposed improvements outlined in the Plan will continue to successfully manage the solid waste and recycling generated within the Plan area as long as they continue to be in the best interest of the residents. The solid waste generated in Pope and Douglas Counties over the course of the Plan is expected to reach a gross amount of 44,392 tons in 2021 and the recycling rate is projected to be 34.8% base recycling rate (by weight), the same year. These projections are illustrated in further detail in the Goal Volume Table (Appendix A). In addition, the long term budgets for the solid waste management system can be found in the Budget Tables (Appendix B1 – B7).

## **POPE/DOUGLAS SOLID WASTE MANAGEMENT**

### **BACKGROUND INFORMATION**

Douglas County is located in the west-central portion of Minnesota. It comprises 722 square miles, including approximately 80 square miles of lakes. The center of the county is bisected by a chain of lakes, the largest of which is Lake Miliona, located at the north end of the chain. The City of Alexandria, the county's largest municipality, is centrally located within the county, just east of the chain of lakes.

Pope County is located adjacent to and just south of Douglas County. It comprises 718 square miles, approximately 50 square miles of which are lakes. Lake Minnewaska, located in the center of the county, is the largest of the lakes. The City of Glenwood, the county's largest municipality, is located on Minnewaska's north east shore.

## DEMOGRAPHIC, GEOGRAPHIC, AND REGIONAL INFORMATION

### *Population and Projections*

According to the 2010 Census, as reported by the State Demographer, Douglas County is estimated to have a population of 36,009 and Pope County is estimated at a population of 10,995 for a combined population in the Pope/Douglas study area of 47,004.

Projections for Douglas County and for Pope County are provided in the Table 1 below. The Office of the MN State Demographer offers the following projections:

Table 1. Population Projections

<b>Year</b>	<b>Douglas County Population</b>	<b>Pope County Population</b>
Current: 2010	36,009	10,995
Projected: 2015	40,460	11,940
Projected: 2020	42,750	12,290
Projected: 2025	44,700	12,580

## Population Distributions

The current population distribution of cities and townships in Douglas and Pope County can be found in Tables 2 and 3 below. Douglas County's most populated cities and townships are the City of Alexandria, Alexandria Township, La Grand Township and account for 54% of Douglas County's population. Pope County's most populated cities and townships are the City of Glenwood, Glenwood Township, City of Starbuck, Minnewaska Township, and Levin Township which account for 54% of Pope County's population.

TABLE 2. Douglas County Population Distribution

<b>Douglas County 2010</b>	<b>2010 Population</b>
City of Alexandria	11070
City of Garfield	354
Alexandria Township	4098
Carlos Township	2048
Hudson Township	876
La Grand Township	4210
Lake Mary Township	1098
Osakis City	1591
Belle River Township	345
Brandon City	489
Brandon Township	713
Evansville City	612
Evansville Township	242
Forada City	185
Holmes City Township	804
Ida Township	1228
Kensington City	292
Leaf Valley Township	457
Lund Township	325
Millerville City	106
Millerville Township	338
Miltona Township	806
Moe Township	784
Nelson City	187
Orange Township	313
Osakis Township	595
Solem Township	233
Miltona City	424
Carlos City	502
Spruce Hill Township	441
Urness Township	243
<b>Douglas County 2010</b>	<b>36,009</b>

TABLE 3. Pope County Population Distribution

<b>Pope County 2010</b>	<b>2010 Population</b>
Bangor township	185
Barsness township	149
Ben Wade township	250
Blue Mounds township	186
Brooten city (part)	0
Chippewa Falls township	228
Cyrus city	228
Farwell city	51
Gilchrist township	194
Glenwood city	2,564
Glenwood township	1,058
Grove Lake township	255
Hoff township	152
Lake Johanna township	139
Langhei township	177
Leven township	499
Long Beach city	335
Lowry city	299
Minnewaska township	500
New Prairie township	197
Nora township	205
Reno township	397
Rolling Forks township	151
Sedan city	45
Starbuck city	1,302
Villard city	254
Walden township	169
Westport city	57
Westport township	278
White Bear Lake township	431
<b>Pope County Total 2010</b>	<b>10,995</b>

## LAND USE

Current land use patterns are similar for Douglas and Pope Counties. Land use in Alexandria, Glenwood and the other major cities in the study area is a mix of single and multiple family residential dwellings, commercial and industrial establishments along with public and semi-public land uses associated with government. In the smaller communities, land use consists primarily of single family homes and commercial establishments, generally located along a main street.

Lakes and associated recreational facilities are located primarily in the central portion of each county. Agriculture is the primary activity in the outlying rural areas with industrial development occurring primarily in the larger cities. Public land use, such as wilderness areas or state parks, includes state wildlife management areas in each county and several federal water fowl protection areas. Existing Douglas County Land Use Map and Projected Douglas County Planned Land Use Map can be found in Appendix C, Pope County Zoning Map can be found in Appendix D

Existing and projected planned land use data for Douglas County can be found in Table 4 below. Douglas County Land and Resource Management provides the following perspective on land use and development trends in Douglas County.

*Overall, intensity and density of all land use activities have been increasing over the last twenty years in Douglas County. Significant growth is occurring in townships with natural features and amenities such as lakes, creeks, and woodlands. The area around the City of Alexandria has also experienced significant residential and commercial growth, particularly Alexandria Township. However, there has been a population decline in agricultural landscapes due to changes in farming practices and pressure to convert farm land to other uses. Farming operations have become larger in scale, more mechanized and less labor intensive most notably in the Townships of Millerville and Belle River. Smaller family farm operations are increasingly being purchased by or rented to larger production farming operations, leading to fewer rural families. The remainder of the County has been experiencing steady growth.*

Table 4. Existing and Projected Planned Land Use Acreage

Existing Land Use Category	Existing Total Acres	Existing % Total Acres	2030 Planned Land Use Category	Total Acres (Planned Use 2030)	Percent Total Acres (Planned Use 2030)
Agricultural/Rural	317,875.98	69%	Agricultural Core	156,456.84	33.9%
Commercial/Industrial	1,899.33	0.4%	Agricultural Limited	121,605.51	26.4%
Residential	33,468.31	7%	Rural Residential	68,651.06	14.9%
Public/Semi-public	23,633.86	5%	Residential	29,977.53	6.5%
Municipalities (Incl. Alexandria Township)	26,572.36	6%	Commercial/Light Industrial	1,816.23	0.4%
Water	54,497.98	12%	Municipalities	27,917.24	6.1%
Unclassified	2,780.62	0.6%	Water	54,515.33	11.8%
<b>TOTAL</b>	<b>460,728.44</b>	<b>100%</b>	<b>TOTAL</b>	<b>460,939.74</b>	<b>100%</b>

## LOCAL ECONOMIC CONDITIONS

The City of Alexandria and surrounding townships are considered the hub of economic activity for the study area. In 2011, the Alexandria Area Economic Development Commission assisted with over \$24 million in new development. Projects consisted of 150 unit student housing project, 24 bed memory/assisted living expansion, agricultural service expansion, eye clinic and a recreational vehicle sales and service. Over the past three years, the community has added over 140 multi-family units totaling over \$25 million in new investment, along with over 180 units of senior housing and assisted living, totaling over \$40 million in new investment. In manufacturing during this same period, 8 manufacturing companies have expanded with a total investment of over \$60 million.

Over the course of a seven year period from 2000-2007 Douglas County saw an increase in firms from several industries locating to the county, including: Construction, Wholesale and Retail Trade, Information Firms, Professional Firms (including Waste Management Firms), and Arts/Entertainment/Recreation/Accommodation Services.

The median household income projected by the US Census Bureau in 2009 was \$43,833 for Douglas County and \$48,844 for Pope County. Further information on current wages and employment in Pope County and Douglas County can be found in Tables 5 and 6 below.

Table 5. Douglas County Employment and Wages

Industry – DOUGLAS COUNTY	2010 Employment	Average Weekly Wage
<b>Goods Producing Industries</b>	<b>3,624</b>	<b>\$869</b>
Natural Resources & Mining	103	\$472
Construction	920	\$887
Manufacturing	2,601	\$879
<b>Services Providing Industries</b>	<b>13,324</b>	<b>\$577</b>
Trade, Transportation & Utilities	4,165	\$570
Information	365	\$1,047
Financial Activities	672	\$888
Professional & Business Service	917	\$550
Education & Health	4,038	\$672
Leisure & Hospitality	2,107	\$226
Other Services	424	\$364
Public Administration	636	\$764
<b>Total</b>	<b>16,948</b>	

Table 6. Pope County Employment and Wages

Industry – POPE COUNTY	2010 Employment	Average Weekly Wage
<b>Goods Producing Industries</b>	<b>868</b>	<b>\$695</b>
Natural Resources & Mining	166	\$578
Construction	144	\$709
Manufacturing	558	\$798
<b>Services Providing Industries</b>	<b>2,774</b>	<b>\$519</b>
Trade, Transportation & Utilities	964	\$716
Information	15	\$516
Financial Activities	135	\$720
Professional & Business Service	75	\$425
Education & Health	946	\$552
Leisure & Hospitality	308	\$177
Other Services	95	\$302
Public Administration	236	\$746
<b>Total</b>	<b>3,642</b>	

Source: MN DEED – Minnesota Quarterly Census of Employment & Wages (QCEW)

In summary, economic and population growth can be expected within the overall study area, even though certain communities may see variations in growth. Both population growth and increase in commercial/industrial firms are expected to have an impact on MSW generated in the study area. This population increase and projected economic growth is anticipated to increase the amount of MSW generated. This likelihood has been accounted for and was a priority consideration in the decision to construct a third waste combustion unit. Increase in population and households has the potential for increased participation and needs in Recycling and Household Hazardous Waste Programs. The existing solid waste system is expected to continue to be able to properly process MSW generated within the study area with no known constraints.

Pope Douglas Solid Waste Management has long term waste contracts with neighboring counties (Grant, Stevens, and Tri-County) to keep the WTE and MRF facilities running at near peak capacity. This made economic and political sense to do so considering the high cost of construction of the third waste combustion unit. The cost of construction is offset by increased tipping fees captured from those long term waste contracts with our neighbors. It is also politically, financially and more environmentally friendly to have regionalized solutions to proper waste disposal versus individualized approaches for everyone.

Pope Douglas Solid Waste Management considers itself positioned well now and into the future to accept and process a growing stream of solid waste and recyclables. PDSWM with its WTE Plant and MRF located in the heart of Alexandria, a growing micropolitan area, is beneficial to continued growth and waste management successes. Wastes delivered from hauler packer trucks and transfer station semis from neighboring counties via Interstate 94 to Alexandria provides quick and efficient hauling of wastes for proper regionalized disposal.

## **SOLID WASTE COLLECTION AND GENERATION**

The estimated total amount of solid waste generated for the PDSWM study area from the 2011 GVT is 42,003 tons. Waste collection is not mandatory in either Pope or Douglas Counties. Therefore municipalities wanting to discontinue organized collection are encouraged to inform their residents of licensed haulers available to provide collection service. Douglas County passed a resolution stating garbage service is available to everyone in the county which makes burning and or burying garbage illegal. Pope County has not passed the resolution even though they also have service available to all residents. It is difficult to draw a line between urban and rural sources, but it is estimated that 92% of Pope and Douglas County area residents, both rural and urban, have collection service. The total generated amount of solid waste is 71% residential and 29% commercial/industrial. Approximately 3% is disposed of on site by residents.

The following are licensed garbage haulers in Pope and Douglas County: Alex Rubbish and Recycling, Corrie's Sanitation, Engebretson Sanitation, Long Prairie Sanitation Service, Mattheisen Disposal, Waste Management of Alexandria, and West Central Sanitation.

Residential garbage service is taxed at 9.75% and fees for service range from \$15 - \$20 per month (pre-tax) for weekly collection of garbage in 35 – 95 gallon carts. Residential recycling is collected tax-free and service fees range from \$0 - \$5 per month for collection which occurs every other week.

Commercial/industrial garbage service is taxed at 17% and fee schedules range from \$12 - \$22 weekly, \$14.50 - \$24.50 bi-weekly, or \$25 - \$45 monthly for 2yd – 8yd containers.

All haulers charge collection fees that become more expensive per-unit, the larger the container size or the more frequent the pick-up. This volume-based pricing model encourages waste reduction. Customers are charged less or not charged at all for recycling pick-up, which encourages recycling of waste over disposal. All waste haulers are charged a \$65/ton tipping fee for MSW delivered to PDSWM. Recycling is delivered at no charge to the hauler and a subsidy is paid to the hauler at the rate of \$30/ton for recycling. The following, Table 7, depicts the increase in tipping fees over the 10-year Plan period.

Table 7. Solid Waste Tipping Fee Schedule

2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
\$65/t	\$67.50/t	\$70.30/t	\$73.10/t	\$76/t	\$77/t	\$77/t	\$77/t	\$77/t	\$77/t	\$80.08/t

The solid waste composition was most recently analyzed in 2009 and samples were submitted to MVTL Laboratories for analysis. The report which summarizes the results from the study and describes the nature of MSW delivered to Pope/Douglas Solid Waste Management can be found in Appendix E.

As solid waste tipping fees rise, PDSWM sees an opportunity to increase waste reduction education and recycling rates as residents and businesses look to avoid increases in disposal fees that result from the generation and collection of waste. The results of the solid waste composition study indicate recyclable material still to be captured for recycling, specifically in the waste streams of paper, plastics, and organic waste. The result is an opportunity to educate residents and businesses on the potential collection of these waste streams generated and the ability for the waste to be collected for recycling.

## **CONSTRUCTION AND DEMOLITION DEBRIS**

There are two privately owned, permitted demolition debris landfills located within the study area, one in Douglas County and one in Pope County. Alex Rubbish and Recycling owns and operates a demolition landfill in Douglas County. In 2011 this landfill took in 26,758 yards. The landfill has a remaining capacity of approximately 190,576 yards. Tom Kraemer Incorporated owns and operates a demolition landfill in Pope County. Approximately 25,176 cubic yards were taken in 2010, an estimated 26,434 in 2011 and the approximate remaining capacity is 1,000,000 cu.yds.

Permit-by-rule demolition sites are also allowed in both Pope and Douglas Counties by way of solid waste ordinances. PBR demo sites are a function of the County Land and Resource Management Departments in both Pope and Douglas Counties.

## **MAJOR SOLID WASTE GENERATORS**

The major industrial solid waste generators are generally found in Alexandria. The largest Industrial solid waste generator is the 3M Company, which delivered 1,410 tons of scrap sandpaper and other waste to PDSWM in 2010 which accounted for 50% of the industrial solid waste generated in the study area. Other major waste generators include: Sun Opta (including its Northern Aseptic division) which manufactures aseptic containers, at 654 tons or 23% of industrial/commercial, and Donnelly Custom Molding at 314 tons or 11% of I/C solid waste.

The largest institutional solid waste generators are Independent School District 206, which generated approximately 477 tons of solid waste in calendar year 2010, and the Douglas County Hospital, generating 179 tons in 2010.

The largest commercial solid waste generators are Wal-Mart of Alexandria, which generated 218 tons in 2010, and Pete's County Market, which generated 212 tons in 2010, and Arrowwood Resort and Conference Center generating 144 tons in 2010.

## LOCAL AND REGIONAL SOLID WASTE PLANNING-TEN YEAR REVIEW

During 2003, a Materials Recycling Facility (MRF) was constructed to remove recyclables and problem items from the waste stream prior to the waste combustion process in the Waste-to-Energy Facility. Items removed from the waste stream by the MRF are:

<u>Recyclable Items</u>	<u>Problem Items</u>
Corrugated Cardboard	Gypsum Board (Sheetrock)
Ferrous Metals	Non-Burnables (Concrete)
Non-Ferrous Metals	Non-Processables
Lead Acid Batteries	Thermostats
Electronics	Fluorescent Tubes
Wire/Holiday Light Strands	Fines & Grit < 1"
Oil Filters	

The MRF has been operating since 2003. The amount of recyclable items removed by the MRF is approximately 5% by weight of the total waste stream that passes through the MRF. The amount of Fines and Grit under 1" that the MRF removes is approximately 13% by weight of the total waste stream that passes through the MRF. The Fines and Grit are hauled directly to the PDSWM Ash Landfill as permitted by the Minnesota Pollution Control Agency.

During 2010 and 2011 PDSWM added a third waste combustor to the Waste-to-Energy Facility. The third combustor has two-times the capacity as the existing two combustors, thus doubling our combustion capacity from 120 tons per day to 240 tons per day. As noted in the 2002 Plan Update, we are taking waste from several of surrounding counties, making PDSWM a regional waste facility. Counties that PDSWM accepts waste from, in addition to Pope and Douglas Counties, are Grant, Stevens, and Tri-County Solid Waste Management Commission (Stearns, Benton, and Sherburne Counties). Twenty year waste delivery contracts were signed with the Tri-County Group (Stearns, Benton and Sherburne counties) on May 20, 2010, Stevens County on November 19, 2009 and a ten year contract with Grant County on December 29, 2010. . To this time, there have been no past impediments or barriers in the development of regional projects, nor any conflicting, duplicative, or overlapping local solid waste management efforts.

## EXISTING AND PROPOSED INTEGRATED SOLID WASTE MANAGEMENT SYSTEM

Planning efforts in the study area have benefitted from concerned and knowledgeable guidance to produce plans that have been followed through to implementation in nearly all regards. Planning efforts began in 1982, when the Douglas County Zoning Department determined that county landfill capacity was decreasing to a few years' supply and that there was no private interest willing to consider more capacity within the study area.

In December of 1983, a Joint Powers Solid Waste Board was formed pursuant to M.S. 471.59 between Pope and Douglas Counties. The two counties completed a joint Comprehensive Solid Waste Management Plan in August of 1983 and obtained MPCA approval of the Plan in January of 1984. The plan was funded with a \$21,000 planning assistance grant from the MPCA. Subsequently, all solid waste planning efforts within the two counties were handled jointly. These efforts included the purchase, construction, operation, and maintenance of a solid waste management facility, recycling and waste education and reduction, landfill siting and design, and problem waste programs such as household hazardous waste collection. The Joint Powers Agreement was amended in 1990 and 1997. In 2003, due to the continual integration of the counties' programs, the Joint Powers Agreement was rewritten and adopted in its present form (see Appendix F). It officially created a municipal corporation given charge:

*“To provide for the joint operation and management of an integrated solid waste system, including waste-to-energy facilities; to furnish solid waste management planning services for the parties hereto; and to enhance the capacity of the parties hereto in the enforcement of all laws, ordinances, and resolutions regulating the generation, storage, transportation and disposal of solid waste in Pope and Douglas Counties.”*

The Board will continue in this capacity for the foreseeable future and throughout the planning period as they meet monthly to discuss the need for additional local and/or regional activities. Local planning and advisory committees are developed on an as needed basis.

During 2003 a Materials Recycling Facility (MRF) was constructed to remove recyclables and problem items from the waste stream prior to the waste combustion process in the Waste-to-Energy Facility. Items removed from the waste stream by the MRF are:

<u>Recyclable Items</u>	<u>Problem Items</u>
Corrugated Cardboard	Gypsum Board (Sheetrock)
Ferrous Metals	Non-Burnables (Concrete)
Non-Ferrous Metals	Non-Processables
Lead Acid Batteries	Thermostats
Electronics	Fluorescent Tubes
Wire/Holiday Light Strands	Fines & Grit < 1”
Oil Filters	

The MRF has been operating since 2003. The amount of recyclable items removed by the MRF is approximately 5% by weight of the total waste stream that passes through the MRF. The amount of Fines and Grit less than 1” that the MRF removes is approximately 13% by weight of the total waste stream that passes through the MRF. The Fines and Grit are hauled directly to the PDSWM Ash Landfill as permitted by the Minnesota Pollution Control Agency. The materials that

are not able to be burnt are pulled out via the sorting line and brought to the Morrison County Landfill for proper disposal. More information can be found about the Morrison County Landfill by visiting the County website at <http://www.co.morrison.mn.us> (then search *Landfill*). Since this is a facility not associated with PDSWM, additional questions about the Morrison County Landfill, including operations, staffing, financials, etc should be directed to them.

During 2010 and 2011 PDSWM added a third waste combustor to the Waste-to-Energy Facility. The third combustor has two-times the capacity as the existing two combustors, thus doubling our combustion capacity from 120 tons per day to 240 tons per day. As noted in the 2002 Plan Update, we are taking waste from several of surrounding counties, making PDSWM a regional waste facility. Counties that PDSWM accepts waste from, in addition to Pope and Douglas Counties, are Grant, Stevens, and Tri-County Solid Waste Management Commission (Stearns, Benton, and Sherburne Counties). Twenty year waste delivery contracts were signed with the Tri-County Group (Stearns, Benton and Sherburne counties) on May 20, 2010, Stevens County on November 19, 2009 and a ten year contract with Grant County on December 29, 2010.

Solid waste in the study area will continue to be pre-processed through the material recycling facility, incinerated in the WTE facility, and the resulting ash deposited in the PDSWM ash landfill throughout the ten year plan timeframe. PDSWM does not intend to return to landfilling methods for solid waste.

To this time and in the foreseeable future, there have been no impediments or barriers in the development of regional projects, nor any conflicting, duplicative, or overlapping local solid waste management efforts. Market sales of steam and electricity are described in detail and can be found in the Incineration and Energy Recovery Section.

For the above reasons, the existing integrated solid waste system will be continued over the course of the plan period. The expansion of recycling programs, the continued evolution of source reduction education programs, as well as informing residents of C&D reuse/recycling opportunities will be key factors in achieving the goal of 34.8% base recycling rate, by weight by 2021. Specific information on these three key areas can be found in the plan under Source Reduction (p18), Recycling Programs (p22), and Demolition Debris Management Programs (p43). Additional information on solid waste generation and processing can be found in the Goal Volume Table found in Appendix A.

The costs to operate the existing system is monitored on a monthly basis and reviewed yearly, the budget for operating the existing system, broken down into the Material Recycling Facility, Waste-to-Energy Facility, and Ash Landfill can be found in Appendix B. Further details of revenues and expenditures can be found in Solid Waste Program Funding of this Plan.

# **SOLID WASTE SYSTEM EVALUATION AND TEN YEAR IMPLEMENTATION PROGRAM**

## **Source Reduction**

### **EXISTING SYSTEM POLICY AND GOALS**

The Board regards the reduction of solid waste at the source of generation as one of its first priorities in solid waste management. One of the methods of waste reduction involves efforts by the Board and Staff to provide incentives to residents, businesses and public organizations to reduce their waste generation. Parts of the incentives provided occur by requiring volume based pricing for waste disposal. The goal for waste reduction is 3% throughout the 10 year planning period.

The "Source Reduction Checklist" supplied by the Minnesota Pollution Control Agency is referred to as a guide for PDSWM solid waste reduction program. In 2010, 20 out of 43 activities were implemented and are described as shown on the 2010 SCORE report which is found in the Appendix G.

Waste Reduction is being encouraged primarily through public educational programs and efforts funded by the SCORE disbursements and matching funds. The Pope/Douglas Solid Waste Board Environmental Coordinator is responsible for implementing the public education programs and has utilized radio, newspaper and other print media to encourage waste reduction. Legislative efforts continue to be made by the Board and staff to support and promote legislation which calls for reduced and less toxic packaging.

Incentives to waste generators to reduce generation are created largely by an educational effort. Residents are encouraged to use area thrift stores, consignment shops, online and radio reuse networks before resorting to recycling or disposal of useable items. This information is provided on an individual basis through telephone advice, during presentations, and in the HHW Reuse Center. The Environmental Coordinator will continue to make waste reduction a specific issue. Practically oriented presentations stressing methods and benefits of waste reduction are made by the Environmental Coordinator to the following organizations:

- Schools
- Community Service Groups
- Scouting Troops
- Church Groups
- Local Businesses
- Government Organizations

### **Programs to be maintained or developed**

The above described existing system and policy and goals, information and educational activities surrounding source reduction continue to be an ongoing portion of the SCORE programs.

### **Budget**

Source reduction programs are part of the Waste Abatement/SCORE Programs Budget. The costs for these programs and the projected ten year budget can be found in Appendix B1.

### **Responsible Person and Implementation Schedule**

Environmental Coordinator            0.02 FTE

The Environmental Coordinator will adapt the information and educational activities according to specific needs within the PDSWM area.

## **Solid Waste Education Programs**

### **POLICIES AND GOALS**

The primary goal of this program is to increase public awareness of waste management issues by disseminating information on methods and benefits of waste reduction, recycling, yard waste programs, problem waste programs, household hazardous waste programs and legislative efforts being undertaken by the Board and Staff. Efforts of this program will also strive to increase awareness of the waste management system in general, including the operation and features of the ash landfill, WTE and other facilities. Most of the other programs and facilities described in this plan incorporate a public education component which is a function of the duties of the Environmental Coordinator. However, education related to solid waste issues is also part of curriculum in the area school districts and the Alexandria Technical and Community College. Classes regularly request presentations in-classroom and tours of the PDSWM facility as part of coursework. In addition, the Soil and Water Conservation Districts and University of Minnesota Extension Service house offices in Douglas County and Pope County. The Sauk River Watershed District encompasses areas in Pope and Douglas Counties. These entities are sources of information on solid waste practices such as composting and proper use of pesticides. PDSWM maintains working relationships with these entities to support annual events that include solid waste information and to continue to reach out to members of the community.

### **Existing Solid Waste Education Practices**

The Environmental Coordinator continues to undertake and implement the following efforts, as an education provider:

- Publish recycling and household hazardous waste fliers and brochures at least every three months.
- Maintain PDSWM website with most current information on solid waste activities ([www.popedouglasrecycle.com](http://www.popedouglasrecycle.com)).
- Maintain personal contact with residents, businesses, and institutions as well as environmental coordinators and waste management personnel in other counties to establish a network of people with whom to exchange information, and educational materials.
- Use the local TV stations, radio stations, and newspapers to promote reduction, reusing, and recycling by paid advertising and informational live talk shows, interviews, and public service announcements.
- Incorporate applicable waste education fact sheets and educational materials provided by the Minnesota Pollution Control Agency.
- Coordinate all public education efforts with other Board solid waste planning.
- Attend conferences and seminars to obtain new ideas, keep informed and meet others involved in solid waste management and abatement.
- Keep informed of all available grants and apply for any that are appropriate.
- Create a “Welcome Package” of information on the use and features of the solid waste management system in Pope and Douglas Counties, made up primarily of materials already in use for other efforts, available to all households in Pope and Douglas Counties. Information includes the most recent of the quarterly publications defining collection schedules, location of recycling facilities, data on problem and household hazardous waste and any other publications or information that will be helpful to residents.

### **Programs to be maintained or developed**

Waste education is a primary element of the Pope/Douglas Solid Waste Management Board. The waste education programs are ongoing and will continue through the planning period.

### **Budget**

Waste reduction programs are ongoing and will continue throughout the planning period. The costs for these programs and the projected ten year budget can be found in Appendix B1.

## **Responsible Person and Implementation Schedule**

Environmental Coordinator          0.02 FTE

The Environmental Coordinator will adapt the information and educational activities according to specific needs within the PDSWM area. At this time, there are no new significant changes planned for which an implementation schedule needs to be developed.

## Recycling Programs

### Policies and Goals

Recycling requires direct coordination and support by PDSWM. Recycling in the two county area is not mandatory but every citizen is provided an opportunity to recycle. Pope/Douglas Solid Waste recycling programs meet and/or exceed the recycling goal requirements in Minnesota Statutes, section 115A.551, subdivision 2, the policies for an opportunity to recycle as listed in Minnesota Statutes, section 115A.552, and support organized collection requirements in Minnesota Statutes, section 115A.94.

### Existing Program

PDSWM began its recycling program in December of 1988. It has evolved into a well run system that offers the public a number of options for recycling. The budget for recycling programs is reviewed yearly and projections can be found in the Budget Table in Appendix B.

#### Collection

The Pope/Douglas Solid Waste Management Board administers and funds a curbside and drop box collection program by contracting with private haulers to provide collection service at least once a month. The Board subsidizes the haulers \$30 per ton collected for this service. Curbside collection occurs in the following communities at this time, with Alexandria being the only city with a population greater than 5,000 persons and the only city of the Third Class.

#### **Douglas County**

Alexandria  
Alexandria Township  
Brandon  
Carlos  
Carlos Township  
Garfield  
Kensington  
La Grande Township  
Lake Mary Township  
Moe Township  
Osakis

#### **Pope County**

Cyrus  
Farwell  
Glenwood  
Long Beach  
Lowry  
Starbuck  
Villard

Curbside recycling is collected monthly by Engebretson Sanitation, Mattheisen Disposal, and Corries Sanitation. Alex Rubbish and Recycling, West Central Sanitation, and Waste Management collect curbside recycling bi-monthly. The Board provides recycling bins to every household in Douglas and Pope Counties and has also provided some to small businesses and schools per their request. Haulers that provide single-sort collection to customers provide their own collection bins. All haulers collect the following (at a minimum) from residences:

- Newspaper
- Magazines
- Junk mail
- Tin
- 1 & 2 small neck plastic containers
- Phone Books
- Catalogs
- Glass
- Aluminum
- Corrugated cardboard (on request - businesses only)

In addition, recycling drop-off is available in Cyrus 7 days per month. The container is owned and maintained by the PDSWM Board and serviced by Engebretson Sanitation, who owns and markets the recyclables. A PDSWM owned recycling trailer is available in Glenwood and Starbuck at a minimum of four days per month at each site during the months of May – September. These three locations in Pope County offer those without curbside recycling, the opportunity to recycle.

A year-round, permanent recycling center, owned by PDSWM, is located in a well-known commercial area in Alexandria. The recycling center is open Monday – Friday for nine hours each day, and Saturday for five hours. The recycling center allows residents the opportunity to recycle:

- Newspaper
- Junk mail
- Tin
- Used oil and oil filters
- Scrap ferrous metal
- Phone Books
- Boxboard
- Aluminum cans/foil
- Lead acid batteries
- Wire
- Magazines
- Office Paper
- 1 - 6 plastic
- Ballasts
- Non-ferrous metal
- Catalogs
- Glass
- Corrugated cardboard
- Yardwaste

Processing

Recycling in the study area is sorted in three different ways: source-separated, dual stream and single stream. All haulers have the option to deliver recyclables to any recycling processing facility of their choice. Currently, PDSWM collects and processes recyclables from source separated residential deliveries to the Alexandria Recycling Center and Glenwood/Starbuck Recycle Trailer, as well as dual stream deliveries from private haulers. Single stream recyclables are processed by an outside county MRF (Recycle America – St. Louis Park) and in-county processor, Jack’s Family Recycling Center in Alexandria. Weights for recyclables not scaled at PDSWM are reported by the haulers.

The following tonnages represent the total amount of recyclables collected, processed, and marketed from 2006-2010 within the study area, as reported in the annual SCORE Report sent to the MPCA.

2006	2007	2008	2009	2010
10,695 tons	11,455 tons	12,815	13,884	13,434

Local Recycling Markets

Local recycling markets exist in Pope and Douglas Counties for ferrous and non-ferrous metals and plastics. PDSWM provides technical support to these markets upon request. Regional and statewide markets, which follow statewide trends in strength and accessibility, exist to allow private recyclers and haulers to dispose of most recyclables collected. The Environmental Coordinator will continue to pursue market leads and work with the MPCA and other county recycling coordinators in establishing or discovering new markets.

Practices

PDSWM supports commercial, industrial, and institutional (C/I/I) recycling as well as the recycling of 3+ materials in all local government as specified in Minnesota Statute 115A.151. The Environmental Coordinator provides technical assistance in aligning C/I/I waste generators with recycling markets. Education related to solid waste recycling and public entities recycling requirements is communicated through presentations and written information. Research for grant funds that may be available to support these practices is also provided upon request.

PDSWM recycling programs provide the opportunity to recycle as outlined in Minnesota Statutes 115A.552 and 115A.555 through the recycling center, recycling stations, and curbside pickup programs mentioned above.

**Programs to be Maintained or Developed**

The Board's Environmental Coordinator will continue to keep abreast of local, regional, and statewide development of markets for recyclables. He will continue to work with the MPCA to pursue potential new markets and will disseminate information on markets to the counties' private haulers as soon as it becomes available. They will be assisted by the Board's Director and the Pope and Douglas County Solid Waste Officers as necessary.

The Board will maintain and expand, wherever demand requires, the curbside program through contracts between the Board and the counties private haulers. At this time, the board provides a \$30.00 per ton subsidy to the haulers for each ton recycled. This subsidy per ton is not expected to increase during the planning period. Expansion of other opportunities to recycle may include extending weekly access to the Glenwood/Starbuck Mobile Trailer if participation continues to increase over the study period. The Environmental Coordinator will also pursue funding through grants to support recycling at public events, through the purchase of event recycling containers that would be available for event organizers to use 2103 and beyond.

PDSWM will continue to search for markets to expand the type and quantity of recyclables collected in the study area. It is through the continued expansion of opportunities to recycle and additional types of materials collected, that PDSWM proposes to reach the projected 34.8% base recycling rate by the year 2021.

PDSWM will pursue adding carton/aseptic cartons and related manufacturing waste to its materials accepted for recycling in its service area. If you recall, one of the major waste generators of waste within the PDSWM area is Sun Opta (including its Northern Aseptic division) which manufactures aseptic containers, at 654 tons or 23% of industrial/commercial wastes in the PDSWM services area. Their aseptic manufacturing wastes will be looked into for possible recycling opportunities with PSDSW and the U.S. Carton Council.

### **Budget**

The projected budget for recycling programs is part the Waste Abatement/SCORE Programs Budget (Appendix B1).

### **Responsible Person and Implementation Schedule**

Environmental Coordinator            0.02 FTE

The Environmental Coordinator will research and develop recycling programs and related educational materials related to new and existing programs according to specific needs within the PDSWM area. Implementation will be contingent on market conditions, grant applications, and other unforeseen conditions not known at this time.

## Yard Solid Waste Management Programs

### General Policy and Goals

In January 1992, yard waste was banned from disposal in mixed municipal solid waste as stated in Minnesota Statute 115A.931 as well as also being banned from disposal in a disposal facility or in a resource recovery facility except for the purposes of reuse, composting, or co-composting. PDSWM assists the residents in the two county area by providing information and education on handling yard waste as there is no or little market for compost in this area. The PDSWM Board encourages backyard composting and mulching of grass clippings as well as better yard management to reduce yard waste generation. This Plan identifies and supports the use of leaves, grass clippings, tree and plant residue, for application and mixing into the soil and use in agricultural practices. This waste stream is captured through curbside programs and yard waste drop-offs and is suitable for use in agricultural practices.

### Existing Program

Yard waste is picked up curbside in most towns and heavily populated townships by licensed haulers (Alex Rubbish and Recycling, Waste Management, and West Central Sanitation). Residents not on a curbside route may self haul their yard waste to yard waste sites such as Alex Rubbish and Recycling Landfill (owner/operator) and the Tom Kraemer Landfill (owner/operator). The PDSWM Recycling Center acts as one of the collection points for yard waste in the PDSWM area. The yard waste that is collected at the Recycling Center is picked up via West Central Sanitation (private hauler) and is hauled for use in agricultural land application through their program. Yard waste is also accepted at the Alex Rubbish and Recycling Landfill (privately owned) to be used as composted landfill cover. There are no municipal yard waste composting sites located within the PDSWM service area. Yard waste collected in curbside routes and at the PDSWM Recycling Center is scaled and paid a subsidy of \$30/ton and has amounted to the following tonnages over the past three years:

2008	2009	2010
1,326 ton	1,509 ton	1,495 ton

It is estimated that 2006 and 2007 would have similar tonnages for yard waste. PDSWM also supports backyard composting through the encouragement of backyard composting bin use and solid waste educational materials provided, which include backyard composting instructions. It is estimated that yard wastes constitute 8-10% by weight of total MSW produced in the study area. It is estimated that approximately 10% of all yard waste (1% of the total waste stream) is composted in generators' backyards. This is not an easily quantified volume.

PDSWM proposes to continue supporting the yard waste collection system through education and hauler subsidy. As well as continued research to locate interested parties, such as the Master Gardeners and County Parks Department, for citing additional drop-off sites to make yard waste collection and composting cost effective and convenient within the study area.

### **Programs to be maintained or developed**

At this time, there are no future plans to expand yard waste management that are already in place. Ample services are set up to capture this waste stream.

### **Budget**

The projected budget for yard solid waste management programs is part the Waste Abatement/SCORE Programs Budget (Appendix B1).

### **Responsible Person and Implementation Schedule**

Environmental Coordinator            0.02 FTE

The Environmental Coordinator will maintain yard solid waste management programs and related educational materials according to specific needs within the PDSWM area. Additional unforeseen conditions are not known at this time.

## **Source-Separated Organic Materials Composting**

The Pope/Douglas Solid Waste Management Board does not propose to use source-separated organic (SSO) materials composting to manage this portion of the MSW waste stream at this time. A regional or local commercial organics composting facility is not available and therefore deems the composting of SSO unfeasible for the study area. The PDSWM Board may amend the Plan if future circumstances and funding allows for implementation of SSO materials composting. While PDSWM has no evidence of existing Food-to-Livestock programs, it is assumed that this practice is carried out in an informal fashion in agricultural communities within the study area. PDSWM is supportive of these methods of waste diversion for source-separated organic materials as long as preparation of the organic materials is done in a manner that is safe and will not spread disease.

### **Programs to be Maintained or Developed**

PDSWM will pursue, within the next 2 years, contacting area livestock farms to attempt to implement a “Food to Livestock” program. This will include working with large scale generators of food waste, such as, schools, restaurants, jails, big box retailers and healthcare facilities in the PDSWM governed area. It is through the continued aggressive existing opportunities to recycle and additional types of materials collected, that PDSWM proposes to reach the projected base recycling rate of 34.8% by the year 2021.

### **Budget**

The projected budget for source-separated organic materials composting management programs is part the Waste Abatement/SCORE Programs Budget (Appendix B1).

### **Responsible Person and Implementation Schedule**

Environmental Coordinator	0.02 FTE
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The Environmental Coordinator will research developing a “Food to Livestock” program over the term of the plan. Additional unforeseen conditions are not known at this time as developing a program is contingent on viable partners to develop a program to divert/recycle this material.

## **Municipal Solid Waste (MSW) Composting Facilities**

The Pope/Douglas Solid Waste Management Board does not propose to use Municipal Solid Waste Composting Facilities to manage the MSW waste stream at this time. A regional or local MSW composting facility is not available and therefore deems the composting of MSW unfeasible for the study area. The PDSWM Board may amend the Plan if future circumstances and funding allows for use of MSW Composting Facilities.

# Solid Waste Incineration and Energy Recovery

## Policies and Goals

The primary goal established in the 1983 Solid Waste Management Study and the 1986 Addendum to that study was the construction of a Waste-to-Energy Facility (WTE) to serve the study area. In April of 1987 the Alexandria WTE went on line. Since then it has been operating 24 hours per day, 365 days per year. The facility is also continuously open to accept deliveries from Pope and Douglas County private haulers and during contracted times for out-of-county haulers.

The WTE is a modular mass burn facility currently operating with three modules. The modules can be replaced in their entirety. The WTE is permitted to process 240 tons per day (TPD). The facility has a waste pit that holds a maximum of 700 tons of waste. A grapple picks up the waste from the pit and loads it into the incinerators. It is then burned at 1,800°F. During the incineration process 76,000 M pounds per hour of steam at 160 pounds of pressure is generated.

The steam is sold through contractual agreements to the following entities:

- 3M manufacturing plant for heating and production purposes.
- Douglas County Hospital for heating, cooling and production purposes.
- Alexandria Technical and Community College for heating purposes.

Through the contracts the price of the steam is tied to the price of natural gas and can fluctuate on a monthly basis. The contracts basically state that Pope/Douglas will charge the entities 85% of what it would have cost them to produce steam for themselves. Excess steam that our customers do not use is utilized in this way:

- Used by PDSWM WTE for heating purposes.
- 500 kilowatt per hour of electricity is produced and used by the WTE.

During 2011 approximately 415,000 M Lbs of steam were produced. Of that, PDSWM sold 138,976 M lbs of steam, with 98,739 M lbs sold to 3M and 40,228 M lbs to the Douglas County Hospital. Additionally 2,139.95 mwh of electricity was also generated during 2011 and was used in-house at the Pope/Douglas Facility.

During 2003 a Materials Recycling Facility (MRF) was constructed to remove recyclables and problem wastes from the waste stream prior to the waste combustion process in the Waste-to-Energy Facility. Items removed from the waste stream by the MRF are:

<b>Recyclable Items</b>	<b>Problem Items</b>
Corrugated Cardboard	Gypsum Board (Sheetrock)
Ferrous Metals	Non-Burnables (Concrete)
Non-Ferrous Metals	Non-Processables
Lead Acid Batteries	Thermostats
Electronics	Fluorescent Tubes
Wire/Holiday Light Strands	Fines & Grit < 1"
Oil Filters	

The MRF has been operating since 2003. The amount of recyclable items removed by the MRF is approximately 5% by weight of the total waste stream that passes through the MRF. The amount of Fines and Grit less than 1" that the MRF

removes is approximately 13% by weight of the total waste stream that passes through the MRF. The Fines and Grit are hauled directly to the PDSWM Ash Landfill as permitted by the Minnesota Pollution Control Agency.

The air quality permit for the facility, permit # 04100021-003, has been updated and was approved as of January 20, 2010 by the Minnesota Pollution Control Agency. The air quality permit will remain effective until January 20, 2015.

The final and most important goal of the Board is to ensure a safe operating environment to the employees of the Waste-to-Energy Facility. The PDSWM Facility operates under a safety plan that includes onsite, monthly trainings of employees by an independent safety consultant. Facility employees are nominated yearly to a safety committee that meets monthly to hold safety meetings to discuss new and old safety issues. The consultant conducts quarterly safety audits of the facility.

The Air Emission Compliance Test Results for 2006-2010 can be found in Appendix H

The Ash Test Results for 2006-2010 can be seen in Appendix I

The Monitoring and Inspection Reports for Air Quality and Ash Landfill can be found in Appendix J.

The PDSWM Board will continue to maintain the existing Waste-to-Energy Facility, Materials Recovery Facility, Ash Landfill, and all educational programs to meet the policies and goals of this plan and MN Statutes during the Plan period. Projected annual quantities of waste incinerated, recovered, and ultimately ash landfilled can be found in the Goal Volume Table in Appendix A.

The Waste-to-Energy Facility (WTE) continues to operate much as it has since it began operation in 1987, operating 24 hours per day, 365 days a year.

Should the WTE for any reason be unable to function, the back-up plan for the Board involves transferring the MSW to the Morrison County Landfill located in Little Falls, Minnesota. Should this landfill be unavailable or unable to take the volume of waste transferred from the study area, the Dakota Landfill located in Gwinner, North Dakota or the nearest and/or most cost effective location available to accept the MSW would be found and contracted with. Ash from the WTE is currently being disposed of at the Pope/Douglas Solid Waste Management Ash Landfill located in Douglas County and will continue to be during the planning period.

### **Ash Generation and Management**

The Pope/Douglas WTE generated 6,392 tons of ash in 2010 and anticipates an increase relative to the increase of tons of garbage taken in once waste contracts with outside counties have begun in 2011-2012 (see Goal-Volume Table for projections in Appendix A). From 1987 through mid 1990, ash was placed in an ash storage site, approved by the MPCA, at the Carlos Landfill (also known as the Kluver landfill) in Douglas County. From mid 1990 through December of 1994, ash from the facility was transported to Lakes Area Disposal in Sorona, Wisconsin. In order to develop the most viable ash management system, the Counties completed the permitting process and constructed a new landfill for disposal of ash from the WTE. The Pope/Douglas Solid Waste Management Ash Landfill, located in Douglas County, began taking ash from the WTE December 5, 1994. The landfill incorporates 80 acres of land, located 20 miles west of Alexandria, on Minnesota Highway 27 and approximately 1/3 mile north on Township Road, in the N 1/2 of the SW ¼ of section 6, T127N, R40W, Solem Township. The ash landfill is permitted by the MPCA under Permit #SW-410, was reissued in 2010. It is anticipated that the ashes generated from the WTE will continue to be deposited at this landfill throughout the planning period.

### **Reduction in Ash Toxicity and Quantity**

It is the policy of the Counties to take whatever actions are economically feasible in accordance with best available technology to reduce the toxicity and quantity of ash from the WTE, as well as reducing the quantity of processing residuals that require disposal.

In order to reduce the quantity and toxicity of the incinerator ash, the Board will continue to implement all directives of the Solid Waste Management Plan, including those created as a result of the SCORE (Select Committee On Recycling and the Environment) legislation. The Board will also continue to implement the Industrial Solid Waste Management Plan approved by the MPCA. The Counties will continue to conduct educational programs, including one for household hazardous wastes (HHW) and unacceptable wastes.

The MRF, constructed in 2003, will continue to reduce the amount of combustible recyclable materials as well as problem items that could affect air quality. As previously noted, the amount of recyclable items removed by the MRF is approximately 5% by weight of the total waste stream that passes through the MRF. The amount of non-processables and problem items was bypassed to the Gwinner Landfill, in ND at an amount of 148 tons for 2010. This bypassed waste, beginning in 2011, is now transferred to the Morrison County Landfill. In 2011, 251 tons was bypassed.

It is the policy of Pope and Douglas counties to continue to manage the ash from the incinerator in an environmentally protective and economically satisfactory manner. Towards this end, the Counties continue to work with the MPCA to develop the best ash management system for the Counties.

#### **Programs to be maintained or developed**

The WTE Facility will be maintained in its present operating capacity. The MRF may be retrofitted to better accommodate the processing of materials like aseptic/carton packages and other unknown materials.

#### **Solid Waste Designation**

Solid waste designation is an option considered by the Board, during the Plan period. Designation is a way to direct MSW to the WTE facility. Designation could also assure that the MSW in the Pope and Douglas County service area is managed in accordance with the State's solid waste hierarchy. Solid waste designation could limit land disposal, as solid waste resource recovery, materials recovery and energy recovery are the preferred methods of MSW processing within the Pope and Douglas County service area. A schedule would be implemented in the event that the PDSWM Board would propose a designation. County boards would then evaluate the merits of designation and coordinate designation with in Pope and Douglas County. Stearns, Benton and western Sherburne Counties have already adopted designation plans. The processes outlined in Minn. Stat. 155A.80 would be followed as the Counties implemented designation.

#### **Budget**

The proposed budget and expenditures for solid waste incineration and energy recovery can be found in the Budget Appendix B.

#### **Responsible Person and Implementation Schedule**

Executive Director                      0.01 FTE

Over the course of the plan the Director will keep abreast of evolving technologies to reduce ash toxicity and implement as needed by operational changes. The Director will also monitor ash utilization programs/projects as a way of reducing ash volumes if the programs/projects are a viable option for Pope Douglas Solid Waste Management.

## MSW Land Disposal Facilities

### Policies and Goals

It is the policy of the Pope/Douglas Solid Waste Management Board to reduce the amount of MSW that goes to landfill. Throughout the years, there have been several private Municipal Solid Waste Land Disposal Facilities located in and around the study area. Gradually, all the private landfills have reached capacity or for other reasons have closed. The Carlos Landfill (also known as the Kluver Landfill) located in Douglas County was the last private landfill in operation in the two county area, ceasing land disposal of MSW in September of 1992. This landfill is currently enrolled in the MPCA Closed Landfill Program.

### Existing Mixed Municipal Solid Waste Land Disposal Facilities

As stated above, there are no Mixed Municipal Solid Waste Land Disposal Facilities, public or private, operating within Pope or Douglas Counties. In the event that waste is delivered to the Waste-to-Energy Facility in excess of the incineration capacity, the residual MSW is bypassed by the Facility to the Morrison County Landfill located in Little Falls, Minnesota. Should this landfill be unavailable or unable to take the volume of waste transferred from the study area, the Dakota Landfill located in Gwinner, North Dakota or the nearest and/or most cost effective location available to accept the MSW would be found and contracted with. The amount of non-processables and problem items that were bypassed to MSW Landfills (Gwinner Landfill, in ND up to 2010 and Morrison County Landfill, MN in 2011 and on) can be seen in the table below.

MSW bypassed to Land Disposal Facilities

2006	2007	2008	2009	2010
193 ton	179 ton	198 ton	184 ton	148 ton

### Programs to be Maintained or Developed

At this time, the Pope/Douglas Solid Waste Management Board has no plans to develop a Mixed Municipal Solid Waste Land Disposal Facility.

### Budget

As no Mixed Municipal Solid Waste Land Disposal Facility is currently being utilized in the Pope/Douglas study area, nor is there expected to be, there have been no funds allocated to this program.

### Responsible Person and Implementation Schedule

As no Mixed Municipal Solid Waste Land Disposal Facility is currently being utilized in the Pope/Douglas study area, nor is there expected to be, there has been no staff time allocated to this program. Should this method of MSW handling be considered in the future, a schedule of implementation would be developed at that time.

## **Waste Tire Management Programs**

### **Policies and Goals**

Douglas County has a solid waste ordinance (SWO) which prohibits unregulated storage and improper disposal of tires, updated in 1996, this new ordinance meets or exceeds Minnesota Statute 115A.914 and Minnesota Rules ch. 9220.0200 to 9220.0680, expanding considerably on used tire facilities, license requirements, used tire storage requirements, abatement of used tire dumps, and used tire processing facilities. Pope County prohibits unregulated storage and improper disposal of tires through the use of the Pope County Land Use Controls Ordinance (2008), which requires waste disposal to be in compliance with both MPCA Solid Waste Rules and Pope County SWO. Both counties currently enforce very actively their solid waste ordinances which prohibit storage of waste tires on unpermitted sites.

There are currently no known unpermitted tire dumps in the study area. The Board recommends disposition of used tires with a tire dealer at the time new tires are purchased.

The Goal-Volume table, located in Appendix A, shows approximate rate of generation of used tires annually in the study area.

### **Existing Waste Tire Practices**

At this time, there are no designated Board waste tire storage or disposal facilities in the study area. The licensed garbage haulers, demolition landfills, and tire dealers will accept and dispose of used tires for a fee:

Tire recyclers have established collection routes which cover both counties, picking up tires from the aforementioned vendors for processing. The waste tires are chipped and used in a variety of ways including:

- Tire Derived Fuel which is burned in coal power plants;
- Subgrade for roads, from County roads to Interstates;
- Mulch; and
- Recycled rubber products.

### **Programs to be Maintained or Developed**

Waste abatement of problem materials, including tires, is and will continue to be encouraged mainly through public educational programs. These are ongoing programs and will continue through the planning period. At this time, the Board will continue to rely on private vendors to provide the residents in Pope and Douglas County with locations to dispose of tires during the planning period. Should additional facilities and/or practices become necessary in the future, the Board will explore its options and select and implement one based on the needs of the counties.

### **Budget**

Budget projections for waste abatement (waste tire management program) is included as part of the SCORE programs and can be found in the Budget Appendix B.

### **Responsible Person and Implementation Schedule**

Environmental Coordinator            0.02 FTE

Approximately 10% of the Board's and Director's time is assessed to abatement issues, including waste tires. The Environmental Coordinator is assessed 100% to abatement issues and acts as facilitator for waste tire programs.

At this time, the Board will continue to rely on private vendors to provide the residents in Pope and Douglas County with locations to dispose of tires during the planning period. Should additional facilities and/or practices become necessary in the future, the Board will explore its options and select and implement one based on the needs of the counties.

## **Electronic Products**

### **General Policy and Goals**

Minnesota Statute 115A.9565 states:

Effective July 1, 2006, a person may not place in mixed municipal solid waste an electronic product containing a cathode-ray tube.

The PDSWM Board's policy and goal to comply with MN Statute 115A.9565.

### **Existing Electronics Management Programs**

PDSWM requires residents and businesses recycle electronic waste (e-waste) through a State permitted electronics recycler or collector. The Board relies on private electronic collectors/recyclers to provide collection service for a fee. Occasionally, free electronics recycling events are held in the study area. However, these are not regularly scheduled events. As reported in the 2010 SCORE Report, the study area is estimated to have generated a total of 463 tons of electronics for recycling.

Electronics are also recovered by way of the MRF at the Pope/Douglas WTE Facility. Haulers are required to transfer electronics found in MSW loads to an electronics collector or recycler and provide their customers with information on unacceptable wastes, including electronics, such as those containing cathode-ray-tubes. Haulers are charged for those electronics found in the waste stream, which they do not wish to transfer to a collector/recycler and PDSWM then transfers the electronics to a recycler.

### **Public Education**

The Board provides public education on electronics recycling options on the PDSWM website, through all other advertising venues used for all other solid waste education topics, and specifically for the unacceptable wastes campaign which targets electronics as one of the waste items requiring recycling.

### **Programs to be Maintained or Developed**

Recycling is and will continue to be encouraged mainly through public educational programs. These are ongoing programs and will continue through the planning period. At this time, the Board will continue to rely on private recyclers to provide the residents in Pope and Douglas County with locations to recycle electronics during the planning period. Should additional facilities and/or practices become necessary in the future, the Board will explore its options and select and implement one based on the needs of the counties.

### **Budget**

At this time, the Board will continue to rely on private vendors to provide the residents in Pope and Douglas County with locations to recycle electronics during the planning period. Should additional facilities and/or practices become necessary in the future, the Board will explore its options and select and implement one based on the needs of the counties. Public educational programs include education on electronics recycling and are part of the SCORE programs found in the Budget Appendix B.

### **Responsible Person and Implementation Schedule**

Waste electronic recycling is overseen by private vendors throughout the county. The Environmental Coordinator and Office Assistant provide customer guidance via phone assistance, website information, local advertising, and other means to disseminate information to encourage proper electronic waste recycling.

Environmental Coordinator            0.02 FTE

## Major Appliance Management

### Policies and Goals

Appliances were banned from disposal at MSW facilities in July of 1990. As required, the Board provides for disposal of major appliances through haulers and businesses in the study area. Used appliances were recovered at a rate of 284 tons in 2010; estimated future generation rates can be seen in the Goal-Volume table located in Appendix A.

### Existing Major Appliance Management Practices

At this time, there are no designated Board major appliance storage or disposal facilities in the study area. The following Rubbish Haulers and Area Businesses will accept and dispose of major appliances for a fee:

- Waste Management
- Engebretson Sanitation
- Northern Metal Recycling
- Alex Rubbish and Recycling
- Tom Kraemer, Inc.
- Jack's Family Recycling Center
- Budget Auto Salvage

The preceding companies will either pick up or allow appliances to be brought to them for disposal. The appliances are then transferred to licensed recyclers who capture any hazardous wastes contained in the appliances in compliance with applicable state, federal, and local regulations prior to recycling. The compliance with these regulations is dictated through the Solid Waste Ordinances of Pope and Douglas Counties on a case by case basis.

### Programs to be Maintained or Developed

Waste abatement of problem materials, including appliances, is and will continue to be encouraged mainly through public educational programs. These are ongoing programs and will continue through the planning period. At this time, the Board will continue to rely on private vendors to provide the residents in Pope and Douglas County with locations to dispose of appliances during the planning period. Should additional facilities and/or practices become necessary in the future, the Board will explore its options and select and implement one based on the needs of the counties.

### Budget

Budget projections are shown in the Budget Appendix B.

### Responsible Person and Implementation Schedule

Approximately 10% of the Board's and Director's time is assessed to abatement issues, including appliance management. The Environmental Coordinator is assessed 100% to abatement issues and acts as facilitator for appliance management programs.

Environmental Coordinator            0.02 FTE

# **Automotive Mercury Switches, Motor Vehicle Fluids and Filters, and Lead-acid and Dry Cell Batteries Management**

## **Policies and Goals**

PDSWM prohibits the disposal of automotive mercury switches in solid waste, solid waste disposal facilities, and solid waste processing facilities, in accordance with Minnesota Statute 115A.932.

Furthermore, in 1987, legislation was passed in Minnesota to require all retailers of motor oil to either collect used oil or post signs indicating the nearest location where oil would be accepted. The Board encourages the residents of Pope and Douglas Counties through advertising, handouts and public speaking to comply with Minnesota Statute 115A.916.

PDSWM also directs public education efforts on the collection of household and motor vehicle batteries such as lead-acid batteries, as well as certain dry cell batteries that are purchased for use or used by a government agency, industrial, communications, or medical facility, in accordance with Minnesota Statutes 115A.915 and 115A.9155.

## **Existing Programs**

PDSWM currently relies on private business sector to comply with MS 115A.932 to properly recycle all mercury containing devices including automotive mercury switches as part of their business' waste management. Public education regarding mercury recycling is part of the solid waste education plan and technical assistance is given to businesses that request information on recycling options. The amount of this type of material is difficult to report and PDSWM currently has no information available.

PDSWM accepts used motor oil and oil filters free from residents of the two county area at the Recycling Center located at 2115 South Jefferson Street. A local company currently accepts the used motor oil and filters from PDSWM for recycling. Approximately 6,110 gallons of used oil were collected from this site in 2010. Approximately 22 tons of used oil filters were recycled in the study area in 2010. Private businesses still accept oil and used oil filters from the public.

PDSWM, in partnership with the Rechargeable Battery Recycling Corporation (RBRC), accepts all nickel cadmium and other rechargeable batteries free at the Household Hazardous Waste Facility. Lead acid batteries, two pounds and under, are also accepted. The batteries are shipped to RBRC and recycled. Motor vehicle batteries and other lead-acid batteries are accepted for recycling at the Recycling Center if not returned to the point of sale to be recycled when they are no longer usable.

Education on recycling options for all the aforementioned types of materials is provided on an ongoing basis through the regular avenues used in the solid waste education plan.

## **Programs to be Maintained or Developed**

Educational material and recycling options will be communicated to automotive repair and automotive vendors over the course of the first two years of the study period, regarding proper recycling of automotive mercury switches.

## **Budget**

The proposed budget for these programs is largely an educational effort and is part of education programs tied to the SCORE funds, please refer to the Budget Appendix B.

### **Responsible Person and Implementation Schedule**

Approximately 10% of the Board's and Director's time is assessed to abatement issues, including appliance management. The Environmental Coordinator is assessed 100% to abatement issues and acts as facilitator for appliance management programs.

Environmental Coordinator	0.02 FTE
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# Household Hazardous Solid Waste Management

## Policies and Goals

The goals and policies established by the PDSWM Board were approved by the MPCA when the HHW Facility was constructed in 1992. PDSWM follows MPCA rules and Standard Operating Procedures to operate a HHW Facility and cooperates in statewide education committees to further expand the broad based public education components.

## Existing Program

The Pope/Douglas Solid Waste Management Board established a permanent household hazardous waste facility in November of 1992. The facility was constructed specifically for the purpose of receiving, recycling, and properly disposing of household hazardous waste from persons of both Pope and Douglas Counties. The building is located adjacent to the Pope/Douglas Waste to Energy Facility at 2110 S. Jefferson St. in Alexandria. The facility is available to residents to drop off materials Monday – Friday from 8a – Noon and 1 – 4p.

The facility is a Co-Sponsoring unit under the sponsorship of Tri-County Solid Waste Management in St. Cloud. Yearly volumes of HHW are reported to the Sponsor, and then reported to the MPCA by the Sponsor.

The Board has an agreement for the operation of a mobile collection system of household hazardous waste with Stearns County Environmental Services. The first mobile collection in Pope County was held in Glenwood at the Minnewaska Area High School parking lot and provided rural residents a more convenient option for disposal of HHW.

The facility is participating in the Minnesota Department of Agriculture’s Waste Pesticide Program for collection of residential pesticides.

There is also a Product Exchange Program available to residents. The Product Exchange area is open 8:00 A.M. to 4:30 P.M. Monday through Friday. The Product Exchange Room provides an educational opportunity to receive information on wastes that are accepted at the facility and options for reducing hazardous wastes by using less toxic products and cleaning with non-toxic products easily found in homes.

The education program is very strong as it utilizes speaking engagements, school presentations, one-on-one education to residents when they deliver wastes, paid newspaper and radio ads and handouts given at fairs, home shows, etc. PDSWM cooperates in statewide education committees to further expand the broad based public education components with goals to increase participation while decreasing waste volumes.

## Responsible Persons and Required Staff Time

Approximately 10% of the Board's and Director's time is assessed to abatement issues, including household hazardous waste. The Environmental Coordinator is assessed 100% to abatement issues and acts as facilitator for household hazardous waste programs.

Environmental Coordinator	0.30 FTE
Office Manager	0.10 FTE
Hazardous Waste Technicians	1.50 FTE

### **Specific Programs Proposed**

Pope/Douglas proposes to continue the existing permanent HHW Facility in Alexandria and all current programs for the plan period. This includes adopting targeted education campaigns that align with statewide education campaigns that are sponsored by the MPCA and other counties. These education campaigns will focus on continual increases in participation while strongly educating the reduction of use of hazardous products in households. PDSWM proposes to continue agreement with Stearns County Environmental Services for mobile collections; the current agreement is valid through December 31, 2014. The Board will assess the continuance of the mobile collection program at that time. PDSWM will continue to train HHW employees according to the MPCA training plan and follow all MPCA Standard Operating Procedures for HHW Programs to ensure the collection, storage, and proper management of HHW.

### **Budget**

Costs for HHW management program are reported yearly through the Program Sponsor to the MPCA. Projected Budget can be found in the Budget Appendix B. For 2010 the PDSWM – HHW Program had expenses for a total amount of \$182,680.48 in the following categories:

#### 2010 HHW Expenses

Waste Management	\$36,513.89
Education	\$30,897.94
Program Management	\$3,030.69
County Staff Salaries	\$106,032.38
Capital Expenditures	\$6,205.58

### **Schedule of Implementation**

The household hazardous waste programs, both educational and disposal / preparation of products, are ongoing activities which will continue throughout the ten year planning period.

## Demolition Debris Management

### Policies and Goals

It is the policy of the Pope/Douglas Solid Waste Management Board to provide the residents in Pope and Douglas Counties with permitted demolition debris landfills. There are two permitted demolition debris landfills located within the study area, one in Douglas County and one in Pope County.

### Existing Demolition Debris Management Program

Alex Rubbish & Recycling owns and operates a permitted demolition landfill in Douglas County. In 2010 this landfill took in 25,729 yards. The landfill has a remaining capacity of approximately 190,576 yards.

Tom Kraemer Incorporated owns and operates a demolition landfill in Pope County. Approximately 25,176 cubic yards were taken in 2010, an estimated 26,434 in 2011 and the approximate remaining capacity is 1,000,000 cu.yds.

### Programs to be Maintained or Developed

At this time, the Board will continue to rely on the demolition landfills located at Alex Rubbish & Recycling and Tom Kraemer Incorporated to provide the residents in Pope and Douglas County with locations to dispose of demolition debris during the planning period. The Pope/Douglas Solid Waste Management Board has no plans to develop a Board owned and operated demolition debris disposal facility. The Tom Kraemer Inc. landfill will continue to have space for the disposal of C&D materials over the course of the planning period. The Alex Rubbish & Recycling Demolition Landfill, at its current size and incoming waste levels would run out of space during the planning period. The company is aware of this and is working with the MPCA and local land owners to obtain additional space for increased demolition debris landfill. Pope/Douglas Solid Waste Management Board will support ARR in these efforts as long as they are in the best interest of the residents, and prefers to keep demolition debris management in the private sector.

At this time, no formal C&D reuse or recycling program exists and the private sector contains no business dedicated to the reuse and recycling of C&D material. Some area construction firms have chosen to recycle C&D waste on a case-by-case basis. The Habitat for Humanity chapters in Douglas and Pope Counties do not actively seek reuse materials for home construction projects at this time. PDSWM is supportive of recycling and reuse efforts of these materials on an informal basis. This is done through telephone advice and individual contact, in which cases residents and/or businesses are supplied with contacts or networks for reuse of C&D materials. The Environmental Coordinator will create C&D reuse and recycling education information to be included with solid waste educational materials. This education information will include contacts and instructions for local reuse networks found online, including MnTap's Materials Exchange Program, and in local media outlets such as radio and print.

### Budget

Budget projections for demolition debris management (waste abatement) are shown in the Budget Appendix B of this Plan.

### Responsible Person and Implementation Schedule

Approximately 10% of the Board's and Director's time is assessed to abatement issues, including demolition debris. The Environmental Coordinator is assessed 100% to abatement issues and acts as facilitator for demolition debris programs.

Environmental Coordinator	0.02 FTE
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At this time, the Board will continue to rely on the demolition landfills located at Alex Rubbish & Recycling and Tom Kraemer Incorporated to provide the residents in Pope and Douglas County with locations to dispose of demolition debris during the planning period. The Alex Rubbish & Recycling Demolition Landfill, at its current size and incoming waste levels would run out of space during the planning period, however they wish to continue operating a demolition landfill. The Pope/Douglas Solid Waste Management Board has no plans to develop a Board owned and operated demolition debris disposal facility. The Board will continue to support the private sector management of demolition waste and will only consider additional facilities and/or practices if they become necessary in the future. At that time, the Board would explore its options and select and implement one based on the needs of the counties.

## **Ordinance and Licensing**

### **Status of Solid Waste Ordinance**

The existing Solid Waste Ordinance for Pope County was brought into effect in May of 1983. The existing Solid Waste Ordinance for Douglas County was brought into effect in October of 1996. The 1996 SW Ordinance is an update from the original version of 1983.

The 1996 Douglas County Solid Waste Ordinance expands on many of the issues addressed in the 1983 ordinance, as well as including many issues which were not addressed in the 1983 ordinance. This ordinance greatly expands on the license requirements for haulers and storage facilities, and includes insurance requirements consisting of general liability, auto liability, and a letter of credit. The '96 ordinance includes a discussion on compost, recycling, and waste combustor facilities, along with many requirements for used tire storage and facilities. Also included are expanded requirements for collection, transportation, and solid waste storage facilities. The service charge is discussed in more detail in the '96 ordinance, receiving its own section in the ordinance. An in depth discussion of enforcement, inspection, and administration is included, focusing on warning letters and notices of violations, citations, license suspension, license revocation, and hearings. The new ordinance directly addresses Volume and Weight Based collection, stating "Charges for the collection of mixed municipal solid waste in the County shall vary with the volume or weight of the solid waste collected. Both SWOs address the permitting of demolition solid waste facilities as well as permit-by-rule demolition sites. It is not anticipated that new demo sites will be needed during the plan period, only the possible expansion of the Alex Rubbish & Recycling owned C&D landfill. The Land and Resource Management Offices in both counties are involved in enforcement and monitoring of permit-by-rule demolition sites, with the authority given to them by the Ordinances.

The largest problem with enforcing the ordinances continues to be the onsite burning of solid waste. Though prohibited by both Counties' ordinances, burning barrels remain in use by a number of county residents not receiving garbage collection, even as it is available. This practice is expected to continue until enforcement actions are more commonly levied upon those responsible. At this time, the continuation of this action is blamed on the lack of interest of enforcement personnel. Until this changes, burning barrels will continue to be a problem in the study area and are a component of solid waste education.

The Board has a draft version of a designation ordinance which may be used in the future to assure the collection and proper disposal of MSW from the two county collection area. A copy of the proposed ordinance is found in Appendix K.

Both the Pope County Ordinance and Douglas County Ordinance are included in Appendix L of this Plan.

### **Possible Ordinance Amendment**

The Pope County Solid Waste Officer is in possession of the 1996 Douglas County Solid Waste Ordinance and has expressed interest in adopting similar policies to amend Pope County's 1983 Solid Waste Ordinance. The Pope County Solid Waste Officer also notes that many of the new policies in the 1996 SWO are already in practice in Pope County.

### **Responsible Persons and Required Staff Time**

The persons responsible for implementing and enforcing the Solid Waste Ordinance are the Pope and Douglas County Solid Waste Officers and staff, along with the cooperation of local law enforcement officers and government agencies.

## **Solid Waste Staffing**

### **Existing County Solid Waste Staff**

In addition to the Pope/Douglas Solid Waste Management Board itself, solid waste management responsibilities and programs in the study area are assumed by several other key individuals. The Executive Director, Peter Olmscheid, assumes primary responsibility for assuring that issues are raised in a timely manner, allowing the Board and others to move forward with meeting legislative, environmental and system needs. He keeps abreast of operational concerns, the system budget, and state agency requirements. The Director's time and energy is spent approximately as follows: 60% Waste to Energy Facility issues; 20% Ash Landfill issues; 10% Education; 10% Administration.

The Board also has on staff an Environmental Coordinator for Pope and Douglas Counties, Nathan Reinbold. His primary responsibilities include addressing and meeting community needs and issues raised regarding recycling, waste abatement, and household hazardous waste. The Coordinator manages a strong educational program, problem waste programs and the curbside recycling program. He also works closely with State agencies, such as the Minnesota Pollution Control Agency, to assure that Pope and Douglas are kept current on any new developments or marketing strategies. The Environmental Coordinator's time and energy is spent approximately as follows: 30% Household Hazardous Waste; 25% Recycling; 5% Supervising HHW and Recycle Center Staff; 25% Education; 5% Waste Reduction; 10% Combined for Yard Waste, Tires, Appliances, Used Oil and Oil Filters, Batteries, Fluorescent Tubes, and Demolition Debris. In addition to the Environmental Coordinator, the Office Manager, Donna Pedersen, contributes approximately 20% of her time to education, 10% to recycling, and 10% to household hazardous waste issues. The Office Manager Assistant, Brooke Hellerman, contributes approximately 20% of her time to solid waste education issues.

The management personnel at the Waste-to-Energy Facility and Materials Recycling Facility are the Plant Manager, Darrell Connell, the Assistant Plant Manager, Glen Larson and the MRF Supervisor, Kory Muzik. Also employed by the Board are two employees in the household hazardous waste bulking room, one full-time and one seasonal.

The Pope County Solid Waste Officer, Steve Lawrence, and Douglas County Solid Waste Officer, David Rush, are other individuals key to the waste management efforts of the two counties. The Solid Waste Officers for the two counties shall be responsible for the administration and enforcement of the Solid Waste Ordinance. The Solid Waste Officers are not employed by PDSWM; rather they are employees of the County.

### **Budget**

The solid waste staffing budget is included in the Budget Appendix B of the Plan.

### **Future Staffing Needs**

At this time, there does not appear to be a need for any additional Solid Waste staffing, nor in the foreseeable future. However, if the need for additional staffing should arise, the position will be secured by either the Pope/Douglas Solid Waste Management Board or Pope or Douglas Counties, depending upon where the staffing need arises.

## Solid Waste Program Funding

Future funding goals and estimated annual solid waste program budgets can be found in the Budget Appendix B.

Specific, itemized capital and operating costs are outlined for:

- B1. Waste Abatement/SCORE Programs
- B2. Material Recovery Facility
- B3. Waste – to – Energy Facility
- B4. Ash Landfill Management
- B5. Projected Annual Costs Per Household to fund Waste Abatement Programs
- B6. Projected Annual Cost Per Ton to Operate WTE, MRF, and Ash Landfill – Combined
- B7. Projected Revenue

The Ten Year Solid Waste Budget for Pope/Douglas Solid Waste Management (PDSWM) was developed, including the Long Term Waste Delivery Agreements that we have with some of our surrounding counties. We included these delivery amounts in our Waste to Energy, Materials Recycling Facility and Ash Landfill Budgets. (See Appendix B2-B4). From these Budgets, we are able to produce a cost per ton, at a gross average of \$82.71 per ton during the plan period, to operate for processing the received MSW (Appendix B5). PDSWM has long term waste delivery agreements with Tri-County Group (Stearns, Benton and Sherburne Counties). In addition there are long term waste delivery agreements with Stevens and Grant Counties. The Waste Abatement Budget is intended for Pope and Douglas County residents only. For this reason, we have prepared a budget that reflects this aspect. Along with the actual budget, we have prepared a 10 year cost per household for the Waste Abatement Programs for Pope and Douglas County residents, which is an average of \$28.46 per household (Appendix B6).

A projected 3 percent increase was used in developing the 10 year Budget.

### Existing Funding

The Budget Appendix B7 also includes the projected revenue used to fund solid waste programs over the Plan period. The current percentages of revenue used to achieve the total funding amount are listed below from the following sources:

Tipping Fees	67.1%
Steam Sales	11.5%
Interest	0.3%
SCORE Funds	1.8%
Tri-County Stipend HHW	0.2%
MRF Commodity Sales	6.4%
Service Fee	12.7%

It is anticipated that PDSWM will continue to operate under similar revenue sources during the plan period.

## Plan Review and Ten Year Update Timeline

The Pope/Douglas Solid Waste Management Board will continue to operate the current integrated waste management system and waste abatement programs throughout the course of the Plan. Most programs under the integrated waste management system will be assessed on a yearly basis over the next ten years to determine if improvements need to be made. Improvements will be made based on fiscal constraints, market conditions, public demand, mandated requirements and other outside factors.

The following programs and/or activities will require a yearly review and are part of the ongoing tasks of PDSWM staff:

- Solid waste education programs – determine specific issues to address.
- Review of grant opportunities to fund solid waste, waste reduction, reuse, recycling, or HHW projects with an emphasis on projects that will support increasing the recycling rate to 34.7% over the course of the Plan.
- Continue discussion with stakeholders to improve yardwaste composting opportunities in study area.
- Evaluation of need for solid waste designation by Pope and Douglas Counties.
- Continue discussion with Alex Rubbish and Recycling regarding the expansion of C&D Landfill in Douglas County.
- Initiate reuse program discussion with stakeholders to expand outlets for collection of reusable material.
- Create directory to aid residents in locating outlets for reuse of materials that would otherwise be disposed of in C&D Landfills or as MSW.
- Review of opportunities to recycle and evaluate possible areas of expanding recycling opportunities, particularly in Pope County, at public events in both counties, and at major solid waste generator facilities.
- Prior to expiration of HHW Mobile Collection Agreement with Stearns County in 2014, determine the wishes of the Board to continue the partnership for another term.
- Explore post-combustion ferrous recovery to increase recycling rate.
- Review operation of our materials recovery facility to evaluate recovery efficiency of the recyclable products and explore new recovery technologies that would enhance the recovery efficiency of the commodities we currently remove or additional commodities we could remove.
- Construction of two new cells in the PDSWM ash landfill will occur in 2012, to accommodate the ash disposal needs during the duration of this Plan.
- Explore a Food to Livestock food waste recycling program with area farmers that would support the increased recycling rate of 34.7% over the course of the Plan.

## **Alternatives to Proposed System**

In the unlikely event that the Pope/Douglas Solid Waste Management system be unable to function, the back-up plan for the Board involves transferring the MSW to the Morrison County Landfill located in Little Falls, Minnesota. Should this landfill be unavailable or unable to take the volume of waste transferred from the study area, the Dakota Landfill located in Gwinner, North Dakota or the nearest and/or most cost effective location available to accept the MSW would be found and contracted with. Ash from the WTE is currently being disposed of at the Pope/Douglas Solid Waste Management Ash Landfill located in Douglas County and will continue to be during the planning period.

## **Environmental and Public Health Impacts**

Both Pope and Douglas counties make strong efforts to mitigate the environmental risks associated with on-site disposal of municipal solid waste by farms and households, as well as illegal disposal. PDSWM Board supports education programs to inform residents about the effects of on-site disposal. The PDSWM Board also provides information, in accordance with the Solid Waste Education Program, that communicates impacts to air, surface water, and groundwater from onsite or illegal disposal activities and avoiding nuisance conditions.

This information is provided permanently through the PDSWM website. PDSWM participates proactively in educational events which include two county fairs, several community expos and school district events on a yearly basis. These events are used as opportunities to provide this information in print and verbal formats as well as visual displays. The Environmental Coordinator regularly accepts speaking engagements which include information on the environmental and public health impacts associated with on-site disposal. Residents are encouraged to use licensed hauler services for disposal of MSW. If hauler services are cost prohibitive, residents are directed to use one of three transfer stations in the Plan area to properly dispose of MSW.

## **Public Participation Program**

Public participation and input by interested parties, including citizens, public advisory committees, regional authorities, adjacent counties or districts, local units of government, and solid waste service companies conducting business within the study area is welcomed by the Board. Pope/Douglas Solid Waste Management held three Open House events during the course of the WTE Facility Unit 3 Expansion. During these events, information on current programs was available and tours of the facility were given to members of the public. During the permitting process for the Unit 3 Expansion, PDSWM also held a public information meeting. In addition, before the Solid Waste Management Plan is adopted, it is placed on public notice for 30 days. During this time, the public has the opportunity to comment via letters to the MPCA. Any public comments received are kept on file at the Waste-to Energy Facility and acted on accordingly. Finally, a person may request that a public informational meeting be held on the Plan, Plan update, or Plan amendment. The documentation of public comments at these meetings is contained in the Meeting Minutes, which are kept on file at the Administrative Offices.

**APPENDIX A**

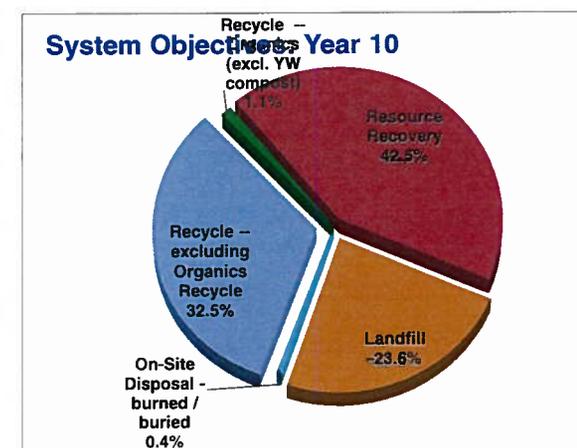
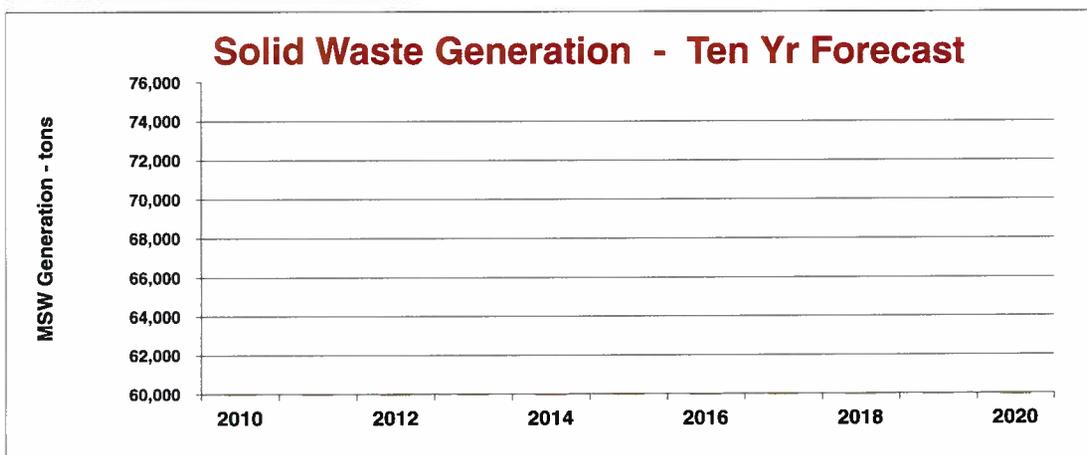
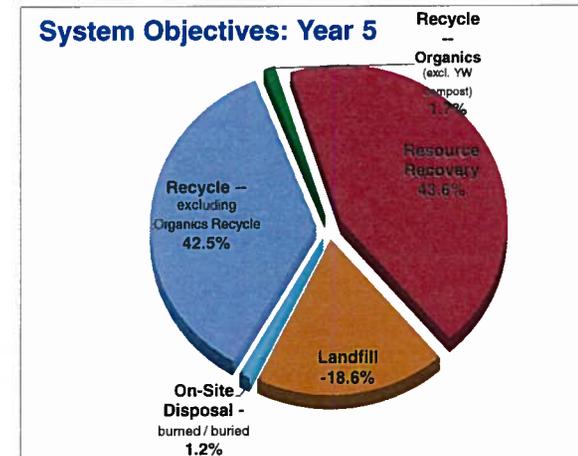
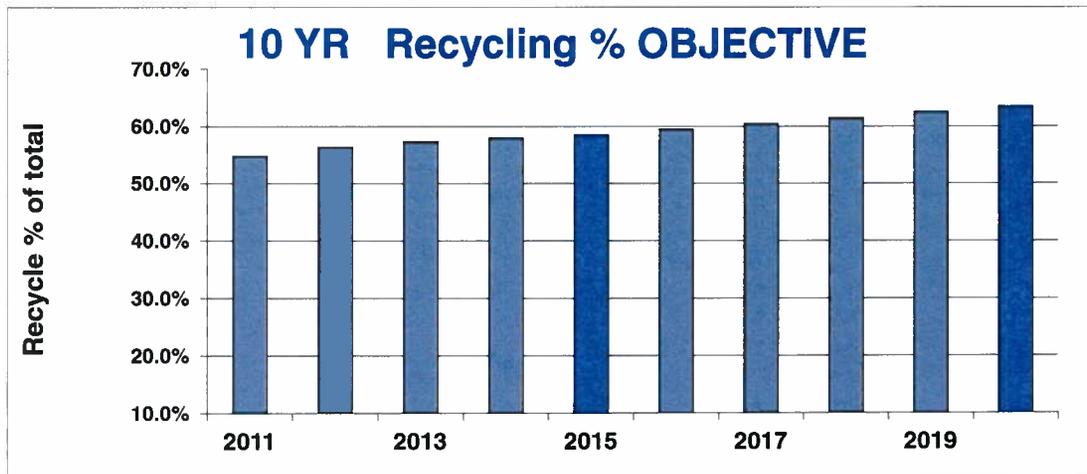
**GOAL VOLUME TABLES**

**FOR POPE/DOUGLAS SOLID WASTE MANAGEMENT**

# SUMMARY Waste Management System OBJECTIVES

## for the Pope/Douglas County Solid Waste Management Plan

Planning Year #	2010	2011 Planning Yr 1	2012 Planning Yr 2	2013 Planning Yr 3	2015 Planning Yr 5	2020 Planning Yr 10
<b>MANAGEMENT METHOD OBJECTIVES for the County MSW Solid Waste Management System</b>						
<b>Source Reduction</b>						
<b>Recycle -- excluding Organics Recycle</b>	33.3%	53.6%	54.9%	55.7%	56.8%	61.4%
<b>Recycle -- Organics (excl. YW compost)</b>	0.1%	1.2%	1.5%	1.7%	1.7%	2.0%
<b>Resource Recovery</b>	60.5%	55.6%	65.9%	67.1%	69.5%	80.4%
<b>Landfill</b>	4.8%	-11.8%	-23.8%	-26.0%	-29.6%	-44.6%
<b>On-Site Disposal - burned / buried</b>	1.3%	1.4%	1.5%	1.5%	1.7%	0.8%



# SUMMARY DATA - Waste Management SYSTEM OBJECTIVES for the Pope/Douglas County Solid Waste Management Plan

	2010	2011	2012	2013	2015	2020	
<i>Planning Year #</i>		<i>Planning Yr 1</i>	<i>Planning Yr 2</i>	<i>Planning Yr 3</i>	<i>Planning Yr 5</i>	<i>Planning Yr 10</i>	
<b>SYSTEM OBJECTIVES</b>							
Recycle -- <i>excluding yard waste</i>	33.4%	<b>54.8%</b>	<b>56.4%</b>	<b>57.4%</b>	<b>58.5%</b>	<b>63.4%</b>	
Resource Recovery	60.5%	<b>55.6%</b>	<b>65.9%</b>	<b>67.1%</b>	<b>69.5%</b>	<b>80.4%</b>	
Landfill	4.8%	<b>-11.8%</b>	<b>-23.8%</b>	<b>-26.0%</b>	<b>-29.6%</b>	<b>-44.6%</b>	
On-Site Disposal - burned / buried	1.3%	<b>1.4%</b>	<b>1.5%</b>	<b>1.5%</b>	<b>1.7%</b>	<b>0.8%</b>	
<b>Recycling % Detail</b>							
Residential recycling %	8.5%	15.6%	15.8%	16.0%	16.5%	18.0%	
Commercial recycling %	4.5%	18.0%	18.5%	19.0%	19.5%	22.0%	
Organics Recycling (source separated food to people & livestock)	0.1%	1.2%	1.5%	1.7%	1.7%	2.0%	
Mechanical / Hand Sorted @ Res Rec Fac.	3.5%	3.2%	3.8%	3.8%	4.0%	4.6%	
Banned Problem Materials + Other recycle	16.8%	16.8%	16.8%	16.8%	16.8%	16.8%	
Percent of Total MSW	33.4%	<b>54.8%</b>	<b>56.4%</b>	<b>57.4%</b>	<b>58.5%</b>	<b>63.4%</b>	
<b>Total MSW Generated</b>	<b>45,000</b>	<b>46,000</b>	<b>47,000</b>	<b>48,000</b>	<b>50,000</b>	<b>53,000</b>	<b>10Yr Totals 498,000</b>
<b>On-Site Disposal - bury, burn barrel, open burn -- tons</b>	<b>600</b>	<b>600</b>	<b>700</b>	<b>700</b>	<b>800</b>	<b>400</b>	<b>6,640</b>
<b>Recycling - tons</b>							
Residential	3,820	7,200	7,400	7,700	8,300	9,500	83,000 tons
Commercial/ Industrial/ Institutional - <i>documented</i>	2,040	8,300	8,700	9,100	9,800	11,600	100,000 tons
Organics Recycle ( <i>s. separated commercial &amp; residential</i> )	50	600	700	800	900	1,100	9,000 tons
Mechanical / Hand Sorted @ Res Rec Fac.	1,560	1,500	1,800	1,800	2,000	2,400	20,000 tons
Problem Materials - <i>Banned + Other recycle</i>	7,560	7,700	7,900	8,100	8,400	8,900	84,000 tons
RECYCLING total tons	15,020	<b>25,170</b>	<b>26,470</b>	<b>27,520</b>	<b>29,310</b>	<b>33,410</b>	<b>296,000 tons</b>
<b>Resource Recovery - tons tipped</b>							
GRE Elk River RDF Facility - tons tipped	-	-	-	-	-	-	-
Pope/Douglas WTE Facility - tons tipped	28,870	27,094	32,859	34,173	36,962	44,969	375,500 tons
Total RR Facilities MSW Tipped	28,870	<b>27,094</b>	<b>32,859</b>	<b>34,173</b>	<b>36,962</b>	<b>44,969</b>	<b>376,000 tons</b>
<b>MSW from other Co's sent to a County Res. Rec. Facility</b>							
Tri-County Solid Waste Commission	2,316	25,980	50,000	50,000	50,000	45,000	45,000 tons
Grant & Stevens County	4,390	<b>4,426</b>	<b>8,447</b>	<b>8,700</b>	<b>9,230</b>	<b>10,701</b>	10,701 tons
TOTAL RECEIVED AT COUNTY RR FACILITY -- tons	<b>6,706</b>	<b>30,406</b>	<b>58,447</b>	<b>58,700</b>	<b>59,230</b>	<b>55,701</b>	<b>55,701 tons</b>
<b>Landfill - MSW from within the County to LF - tons</b>	<b>2,100</b>	<b>2,100</b>	<b>2,100</b>	<b>2,100</b>	<b>2,100</b>	<b>4,500</b>	<b>(62,000) tons</b>
<b>LANDFILL DISPOSAL DESTINATIONS for Pope/Douglas Co's MSW</b>							
Hawaii County Landfill	-	-	-	-	-	-	(90,000) tons
Morrison County Landfill	-	2,100	2,100	2,100	2,100	2,100	21,000 tons
Kandiyohi County Landfills	-	-	-	-	-	1,100	3,000 tons
McCloud LF Inc / Spruce Ridge	-	-	-	-	-	-	-
<b>Out-of-State Landfills</b>							
Gwinner Landfill ND	2,100	-	-	-	-	1,200	4,000 tons
Total All Co's MSW to ALL LF's - tons	2,100	2,100	2,100	2,100	2,100	4,500	(62,000) tons
<b>LF Capacity USED + Cover - for County MSW -cy</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>7,000</b>	<b>(95,000) cu yds</b>
<b>LANDFILL DISPOSAL of Solid Waste at landfills located WITHIN the COUNTY</b>							
Hawaii County Landfill MSW	-	-	-	-	-	-	(90,000) tons
Other MN co's MSW Imported to LF in the Co.	-	-	-	-	-	3,500	11,000 tons
<b>TOTAL MSW to Hawaii County Landfill</b>							
Industrial & non-MSW Waste to MSW LF's within the Co.	-	-	-	-	-	1,100	3,000 tons
Total Solid Waste to LF within Co. - tons	-	-	-	-	-	4,600	(76,000) tons
<b>LF Capacity USED + cover for ALL Wastes -cu yds</b>							<b>(117,000) cu yds</b>
<b>Yard Waste - received at YW sites in County</b>							
Yard Waste - received at YW sites in Co. - Cu Yds	1500	1560	1622	1687	1825	2220	cu yds

# LANDFILL CAPACITY USE Data for Landfills Receiving County Solid Wastes

## Ten Year Totals

Pope/Douglas Co MSW to ALL Landfills **(62,000)** tons

Pope/Douglas Co MSW Capacity Use at ALL Landfills **(97,000)** cubic yards compacted in-place

Pope/Douglas Co MSW to Hawaii County Landfill **(90,000)** tons to LF within the County

Pope/Douglas County MSW to Out-of-State Landfills **4,000** tons

MSW Total to Hawaii County Landfill **(80,000)** tons to LF within the County

Industrial Waste to Hawaii County Landfill **3,000** tons

All Solid Waste to Hawaii County Landfill **(76,000)** tons

HYILF MSW Total USE - cubic yards **#####** cubic yards compacted in-place

### LF Waste Density Assumptions

MSW Density = **1,300** lbs/cubic yard in-place

Industrial Waste Density = **1,200** lbs/cubic yard in-place

2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 10-Year Totals

## DESTINATION LANDFILLS for Pope/Douglas CO's MSW

Hawaii County Landfill	0	0	0	0	0	0	-19,176	-21,372	-23,573	-25,780	0	-89,901
Morrison County Landfill	0	2,137	2,137	2,137	2,137	2,137	2,137	2,137	2,137	2,137	2,137	21,370
Kandiyohi County Landfill	0	0	0	0	0	0	228	457	685	914	1,142	3,426
McCloud LF Inc./ Spruce Ridge	0	0	0	0	0	0	0	0	0	0	0	0
<u>Out-of State Landfills</u>												0
	0	0	0	0	0	0	0	0	0	0	0	0
Gwinner Landfill ND	2,137	0	0	0	0	0	240	480	720	960	1,200	3,600
	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total All Co's MSW to ALL LF's - tons</b>	<b>2,137</b>	<b>2,137</b>	<b>2,137</b>	<b>2,137</b>	<b>2,137</b>	<b>2,137</b>	<b>(16,571)</b>	<b>(18,298)</b>	<b>(20,031)</b>	<b>(21,769)</b>	<b>4,479</b>	<b>-61,505</b>

## Landfill MSW ONLY CAPACITY USE at All Landfills Receiving County Solid Waste - cubic yards compacted In-Place + cover materials

LF's Capacity Use including Cover - cu yds 3,000 3,000 3,000 3,000 3,000 3,000 3,000 ##### (28,000) ##### ##### 7,000 (97,000)

# LANDFILL CAPACITY USE Data for Landfills Receiving County Solid Wastes

## LANDFILL CAPACITY USAGE for Landfills located WITHIN Pope/Douglas County

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	10-Year Totals
Pope/Douglas Co's MSW to Hawaii County Landfill -	-	-	-	-	-	-	(19,200)	(21,400)	(23,600)	(25,800)	-	(90,000)
<b>MSW IMPORTED into Hawaii County Landfill</b>												
--	0	0	0	0	0	0	700	1,400	2,100	2,800	3,500	10,500
--	0	0	0	0	0	0	0	0	0	0	0	-
--	0	0	0	0	0	0	0	0	0	0	0	-
--	0	0	0	0	0	0	0	0	0	0	0	-
--	0	0	0	0	0	0	0	0	0	0	0	-
Other MSW Imported to Hawaii County Landfill	0	0	0	0	0	0	700	1,400	2,100	2,800	3,500	10,500
<b>MN MSW Received at Hawaii County Landfill - tons</b>	-	-	-	-	-	-	(18,500)	(20,000)	(21,500)	(23,000)	3,500	(79,500)
Out-of-State MSW to Landfill in Co. - tons	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total MSW to LF within the County - tons</b>	-	-	-	-	-	-	(18,500)	(20,000)	(21,500)	(23,000)	3,500	(79,500)
<b>Industrial &amp; other Non-MSW Waste to LF MSW cells - tons</b>	-	-	-	-	-	-	228	456	684	912	1,140	3,420
<b>TOTAL ALL WASTES TO HYILF - tons</b>	-	-	-	-	-	-	(18,300)	(19,500)	(20,800)	(22,100)	4,600	(76,100)
												<b>Total 10 yr All Waste Tons to HYILF</b>

## Total Cubic Yard Capacity Use at the Hawaii County Landfill - MSW + Ind. W. + cover

TOTAL ALL MSW TO HYILF - cu yds	-	-	-	-	-	-	(28,500)	(30,800)	(33,100)	(35,400)	5,400	(122,400)
Industrial Waste (IW) to HYILF - cu yds	-	-	-	-	-	-	400	800	1,100	1,500	1,900	5,700
<b>ALL Solid Waste - Cu Yds compacted In-Place</b>	-	-	-	-	-	-	(28,100)	(30,000)	(32,000)	(33,900)	7,300	(116,700)

Grand Total LF Capacity Use - cu yds

**GRAND TOTAL 10yr Solid Waste Capacity Use - cu yds (117,000)**

**APPENDIX B**

**BUDGET TABLES**

**FOR POPE/DOUGLAS SOLID WASTE MANAGEMENT**

- B1. Waste Abatement/SCORE Programs
- B2. Material Recovery Facility
- B3. Waste – to – Energy Facility
- B4. Ash Landfill Management
- B5. Projected Annual Costs Per Household to fund Waste Abatement Programs
- B6. Projected Annual Cost Per Ton to Operate WTE, MRF & Ash Landfill – Combined
- B7. Projected Revenue

**Pope Douglas Solid Waste Management Projected 10 Year Budget**

**Waste Abatement/SCORE Programs**

**3%**

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Payroll	\$162,776.00	\$167,659.28	\$172,689.06	\$177,869.73	\$183,205.82	\$188,702.00	\$194,363.06	\$200,193.95	\$206,199.77	\$212,385.76
Employee Insurance	\$18,000.00	\$18,540.00	\$19,096.20	\$19,669.09	\$20,259.16	\$20,866.93	\$21,492.94	\$22,137.73	\$22,801.86	\$23,485.92
PERA	\$11,801.00	\$12,155.03	\$12,519.68	\$12,895.27	\$13,282.13	\$13,680.59	\$14,091.01	\$14,513.74	\$14,949.15	\$15,397.63
FICA	\$10,092.00	\$10,394.76	\$10,706.60	\$11,027.80	\$11,358.63	\$11,699.39	\$12,050.38	\$12,411.89	\$12,784.24	\$13,167.77
Medicare	\$2,360.00	\$2,430.80	\$2,503.72	\$2,578.84	\$2,656.20	\$2,735.89	\$2,817.96	\$2,902.50	\$2,989.58	\$3,079.26
Electricity	\$8,000.00	\$8,240.00	\$8,487.20	\$8,741.82	\$9,004.07	\$9,274.19	\$9,552.42	\$9,838.99	\$10,134.16	\$10,438.19
Water/Sewage	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
Gas/Heating	\$4,500.00	\$4,635.00	\$4,774.05	\$4,917.27	\$5,064.79	\$5,216.73	\$5,373.24	\$5,534.43	\$5,700.47	\$5,871.48
Building Maintenance	\$12,000.00	\$12,360.00	\$12,730.80	\$13,112.72	\$13,506.11	\$13,911.29	\$14,328.63	\$14,758.49	\$15,201.24	\$15,657.28
Meeting Expense	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75	\$579.64	\$597.03	\$614.94	\$633.39	\$652.39
Office Supplies/Equipment	\$15,000.00	\$15,450.00	\$15,913.50	\$16,390.91	\$16,882.63	\$17,389.11	\$17,910.78	\$18,448.11	\$19,001.55	\$19,571.60
Operating Supplies	\$4,000.00	\$4,120.00	\$4,243.60	\$4,370.91	\$4,502.04	\$4,637.10	\$4,776.21	\$4,919.50	\$5,067.08	\$5,219.09
Safety Equipment Supplies	\$1,500.00	\$1,545.00	\$1,591.35	\$1,639.09	\$1,688.26	\$1,738.91	\$1,791.08	\$1,844.81	\$1,900.16	\$1,957.16
Misc. Expense/ Containers	\$7,000.00	\$7,210.00	\$7,426.30	\$7,649.09	\$7,878.56	\$8,114.92	\$8,358.37	\$8,609.12	\$8,867.39	\$9,133.41
HHW Disposal	\$20,000.00	\$20,600.00	\$21,218.00	\$21,854.54	\$22,510.18	\$23,185.48	\$23,881.05	\$24,597.48	\$25,335.40	\$26,095.46
Advertising/Education	\$24,000.00	\$24,720.00	\$25,461.60	\$26,225.45	\$27,012.21	\$27,822.58	\$28,657.26	\$29,516.97	\$30,402.48	\$31,314.56
Hauler Recycling Service	\$175,000.00	\$180,250.00	\$185,657.50	\$191,227.23	\$196,964.04	\$202,872.96	\$208,959.15	\$215,227.93	\$221,684.76	\$228,335.31
Travel/Mileage/Registration	\$2,000.00	\$2,060.00	\$2,121.80	\$2,185.45	\$2,251.02	\$2,318.55	\$2,388.10	\$2,459.75	\$2,533.54	\$2,609.55
Postage	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75	\$579.64	\$597.03	\$614.94	\$633.39	\$652.39
Telephone	\$5,000.00	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37	\$5,970.26	\$6,149.37	\$6,333.85	\$6,523.87
Assets \$5,000 & over	\$10,000.00	\$10,300.00	\$10,609.00	\$10,927.27	\$11,255.09	\$11,592.74	\$11,940.52	\$12,298.74	\$12,667.70	\$13,047.73
SCORE Equipment less than \$5,000	\$4,000.00	\$4,120.00	\$4,243.60	\$4,370.91	\$4,502.04	\$4,637.10	\$4,776.21	\$4,919.50	\$5,067.08	\$5,219.09
Local SCORE Match	\$100,000.00	\$103,000.00	\$106,090.00	\$109,272.70	\$112,550.88	\$115,927.41	\$119,405.23	\$122,987.39	\$126,677.01	\$130,477.32
Uniforms	\$800.00	\$824.00	\$848.72	\$874.18	\$900.41	\$927.42	\$955.24	\$983.90	\$1,013.42	\$1,043.82
Payroll Clothing Allowance	\$300.00	\$309.00	\$318.27	\$327.82	\$337.65	\$347.78	\$358.22	\$368.96	\$380.03	\$391.43
Contracted Services	\$10,000.00	\$10,300.00	\$10,609.00	\$10,927.27	\$11,255.09	\$11,592.74	\$11,940.52	\$12,298.74	\$12,667.70	\$13,047.73
Other Professional Services	\$15,000.00	\$15,450.00	\$15,913.50	\$16,390.91	\$16,882.63	\$17,389.11	\$17,910.78	\$18,448.11	\$19,001.55	\$19,571.60
Travel Equipment Payroll Expense	\$1,500.00	\$1,545.00	\$1,591.35	\$1,639.09	\$1,688.26	\$1,738.91	\$1,791.08	\$1,844.81	\$1,900.16	\$1,957.16
<b>Total</b>	<b>\$626,629.00</b>	<b>\$645,427.87</b>	<b>\$664,790.71</b>	<b>\$684,734.43</b>	<b>\$705,276.46</b>	<b>\$726,434.75</b>	<b>\$748,227.80</b>	<b>\$770,674.63</b>	<b>\$793,794.87</b>	<b>\$817,608.72</b>

**Pope/Douglas Solid Waste Management 10 Year Budget  
Material Recycling Facility  
+3%**

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Payroll</b>	\$479,218.00	\$493,594.54	\$508,402.38	\$523,654.45	\$539,364.08	\$555,545.00	\$572,211.35	\$589,377.69	\$607,059.02	\$625,270.80
<b>Employee Insurance</b>	\$84,332.00	\$86,861.96	\$89,467.82	\$92,151.85	\$94,916.41	\$97,763.90	\$100,696.82	\$103,717.72	\$106,829.25	\$110,034.13
<b>PERA</b>	\$34,743.00	\$35,785.29	\$36,858.85	\$37,964.61	\$39,103.55	\$40,276.66	\$41,484.96	\$42,729.51	\$44,011.39	\$45,331.73
<b>FICA</b>	\$29,712.00	\$30,603.36	\$31,521.46	\$32,467.10	\$33,441.12	\$34,444.35	\$35,477.68	\$36,542.01	\$37,638.27	\$38,767.42
<b>Medicare</b>	\$6,949.00	\$7,157.47	\$7,372.19	\$7,593.36	\$7,821.16	\$8,055.80	\$8,297.47	\$8,546.39	\$8,802.79	\$9,066.87
<b>Part Time Employees</b>	\$214,032.00	\$220,452.96	\$227,066.55	\$233,878.55	\$240,894.90	\$248,121.75	\$255,565.40	\$263,232.36	\$271,129.33	\$279,263.21
<b>Equipment Maintenance</b>	\$150,000.00	\$154,500.00	\$159,135.00	\$163,909.05	\$168,826.32	\$173,891.11	\$179,107.84	\$184,481.08	\$190,015.51	\$195,715.98
<b>General Operating Supplies</b>	\$11,000.00	\$11,330.00	\$11,669.90	\$12,020.00	\$12,380.60	\$12,752.01	\$13,134.58	\$13,528.61	\$13,934.47	\$14,352.51
<b>Safety Equipment Supplies</b>	\$19,000.00	\$19,570.00	\$20,157.10	\$20,761.81	\$21,384.67	\$22,026.21	\$22,686.99	\$23,367.60	\$24,068.63	\$24,790.69
<b>Uniforms</b>	\$7,000.00	\$7,210.00	\$7,426.30	\$7,649.09	\$7,878.56	\$8,114.92	\$8,358.37	\$8,609.12	\$8,867.39	\$9,133.41
<b>Misscellaneous Contingency</b>	\$10,000.00	\$10,300.00	\$10,609.00	\$10,927.27	\$11,255.09	\$11,592.74	\$11,940.52	\$12,298.74	\$12,667.70	\$13,047.73
<b>Fuel For Equipement</b>	\$40,000.00	\$41,200.00	\$42,436.00	\$43,709.08	\$45,020.35	\$46,370.96	\$47,762.09	\$49,194.95	\$50,670.80	\$52,190.93
<b>Commodity Freight</b>	\$25,000.00	\$25,750.00	\$26,522.50	\$27,318.18	\$28,137.72	\$28,981.85	\$29,851.31	\$30,746.85	\$31,669.25	\$32,619.33
<b>Water Sewage</b>	\$1,500.00	\$1,545.00	\$1,591.35	\$1,639.09	\$1,688.26	\$1,738.91	\$1,791.08	\$1,844.81	\$1,900.16	\$1,957.16
<b>Building Maintnenace</b>	\$20,000.00	\$20,600.00	\$21,218.00	\$21,854.54	\$22,510.18	\$23,185.48	\$23,881.05	\$24,597.48	\$25,335.40	\$26,095.46
<b>Equipment Less Than \$5,000</b>	\$4,000.00	\$4,120.00	\$4,243.60	\$4,370.91	\$4,502.04	\$4,637.10	\$4,776.21	\$4,919.50	\$5,067.08	\$5,219.09
<b>Assets \$5,000 and Over</b>	\$20,000.00	\$20,600.00	\$21,218.00	\$21,854.54	\$22,510.18	\$23,185.48	\$23,881.05	\$24,597.48	\$25,335.40	\$26,095.46
<b>Payroll Clothing Allowance</b>	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
<b>Sales Tax</b>	\$2,000.00	\$2,060.00	\$2,121.80	\$2,185.45	\$2,251.02	\$2,318.55	\$2,388.10	\$2,459.75	\$2,533.54	\$2,609.55
<b>Meeting Expense</b>	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75	\$579.64	\$597.03	\$614.94	\$633.39	\$652.39
<b>Travel Employee Payroll Expense</b>	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75	\$579.64	\$597.03	\$614.94	\$633.39	\$652.39
<b>Total</b>	<b>\$1,160,486.00</b>	<b>\$1,195,300.58</b>	<b>\$1,231,159.60</b>	<b>\$1,268,094.39</b>	<b>\$1,306,137.22</b>	<b>\$1,345,321.33</b>	<b>\$1,385,680.97</b>	<b>\$1,427,251.40</b>	<b>\$1,470,068.94</b>	<b>\$1,514,171.01</b>

**Pope Douglas Solid Waste Management Projected 10 Year Budget**

**Waste To Energy**

**+3%**

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Payroll	\$1,368,845.00	\$1,409,910.35	\$1,452,207.66	\$1,495,773.89	\$1,540,647.11	\$1,586,866.52	\$1,634,472.52	\$1,683,506.69	\$1,734,011.89	\$1,786,032.25
Approved Board	\$10,000.00	\$10,300.00	\$10,609.00	\$10,927.27	\$11,255.09	\$11,592.74	\$11,940.52	\$12,298.74	\$12,667.70	\$13,047.73
Employee Insurance	\$166,824.00	\$171,828.72	\$176,983.58	\$182,293.09	\$187,761.88	\$193,394.74	\$199,196.58	\$205,172.48	\$211,327.65	\$217,667.48
PERA	\$99,241.00	\$102,218.23	\$105,284.78	\$108,443.32	\$111,696.62	\$115,047.52	\$118,498.94	\$122,053.91	\$125,715.53	\$129,487.00
FICA	\$84,868.00	\$87,414.04	\$90,036.46	\$92,737.56	\$95,519.68	\$98,385.27	\$101,336.83	\$104,376.94	\$107,508.24	\$110,733.49
Medicare	\$19,848.00	\$20,443.44	\$21,056.74	\$21,688.45	\$22,339.10	\$23,009.27	\$23,699.55	\$24,410.54	\$25,142.85	\$25,897.14
Postage	\$1,200.00	\$1,236.00	\$1,273.08	\$1,311.27	\$1,350.61	\$1,391.13	\$1,432.86	\$1,475.85	\$1,520.12	\$1,565.73
Telephone	\$2,500.00	\$2,575.00	\$2,652.25	\$2,731.82	\$2,813.77	\$2,898.19	\$2,985.13	\$3,074.68	\$3,166.93	\$3,261.93
Advertising	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75	\$579.64	\$597.03	\$614.94	\$633.39	\$652.39
Membership Dues	\$7,500.00	\$7,725.00	\$7,956.75	\$8,195.45	\$8,441.32	\$8,694.56	\$8,955.39	\$9,224.05	\$9,500.78	\$9,785.80
Electricity	\$325,000.00	\$334,750.00	\$344,792.50	\$355,136.28	\$365,790.36	\$376,764.07	\$388,067.00	\$399,709.01	\$411,700.28	\$424,051.28
Water/Sewage	\$45,000.00	\$46,350.00	\$47,740.50	\$49,172.72	\$50,647.90	\$52,167.33	\$53,732.35	\$55,344.32	\$57,004.65	\$58,714.79
Gas	\$50,000.00	\$51,500.00	\$53,045.00	\$54,636.35	\$56,275.44	\$57,963.70	\$59,702.61	\$61,493.69	\$63,338.50	\$65,238.66
Legal Services	\$5,000.00	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37	\$5,970.26	\$6,149.37	\$6,333.85	\$6,523.87
Air Quality Testing	\$100,000.00	\$103,000.00	\$106,090.00	\$109,272.70	\$112,550.88	\$115,927.41	\$119,405.23	\$122,987.39	\$126,677.01	\$130,477.32
Ash Testing	\$2,500.00	\$2,575.00	\$2,652.25	\$2,731.82	\$2,813.77	\$2,898.19	\$2,985.13	\$3,074.68	\$3,166.93	\$3,261.93
Bypass Waste	\$100,000.00	\$103,000.00	\$106,090.00	\$109,272.70	\$112,550.88	\$115,927.41	\$119,405.23	\$122,987.39	\$126,677.01	\$130,477.32
State AuditExpense	\$8,400.00	\$8,652.00	\$8,911.56	\$9,178.91	\$9,454.27	\$9,737.90	\$10,030.04	\$10,330.94	\$10,640.87	\$10,960.09
Other Professional Fees	\$150,000.00	\$154,500.00	\$159,135.00	\$163,909.05	\$168,826.32	\$173,891.11	\$179,107.84	\$184,481.08	\$190,015.51	\$195,715.98
Building Maintenance	\$50,000.00	\$51,500.00	\$53,045.00	\$54,636.35	\$56,275.44	\$57,963.70	\$59,702.61	\$61,493.69	\$63,338.50	\$65,238.66
Equipment Maintenance	\$600,000.00	\$618,000.00	\$636,540.00	\$655,636.20	\$675,305.29	\$695,564.44	\$716,431.38	\$737,924.32	\$760,062.05	\$782,863.91
Travel/Mileage/Registration	\$7,000.00	\$7,210.00	\$7,426.30	\$7,649.09	\$7,878.56	\$8,114.92	\$8,358.37	\$8,609.12	\$8,867.39	\$9,133.41
Meeting Expense	\$2,000.00	\$2,060.00	\$2,121.80	\$2,185.45	\$2,251.02	\$2,318.55	\$2,388.10	\$2,459.75	\$2,533.54	\$2,609.55
Vehicle Maintenance	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
Insurance - Work Comp/Boiler/Liability	\$185,000.00	\$190,550.00	\$196,266.50	\$202,154.50	\$208,219.13	\$214,465.70	\$220,899.67	\$227,526.67	\$234,352.47	\$241,383.04
Office Supplies	\$5,000.00	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37	\$5,970.26	\$6,149.37	\$6,333.85	\$6,523.87
General Operating Supplies	\$15,000.00	\$15,450.00	\$15,913.50	\$16,390.91	\$16,882.63	\$17,389.11	\$17,910.78	\$18,448.11	\$19,001.55	\$19,571.60
Safety Equipment Supplies	\$27,000.00	\$27,810.00	\$28,644.30	\$29,503.63	\$30,388.74	\$31,300.40	\$32,239.41	\$33,206.59	\$34,202.79	\$35,228.88
Water Treatment Chemical	\$90,000.00	\$92,700.00	\$95,481.00	\$98,345.43	\$101,295.79	\$104,334.67	\$107,464.71	\$110,688.65	\$114,009.31	\$117,429.59
Air Quality Sorbents	\$325,000.00	\$334,750.00	\$344,792.50	\$355,136.28	\$365,790.36	\$376,764.07	\$388,067.00	\$399,709.01	\$411,700.28	\$424,051.28
Uniforms	\$19,000.00	\$19,570.00	\$20,157.10	\$20,761.81	\$21,384.67	\$22,026.21	\$22,686.99	\$23,367.60	\$24,068.63	\$24,790.69
Payroll Clothing Allowance	\$3,000.00	\$3,090.00	\$3,182.70	\$3,278.18	\$3,376.53	\$3,477.82	\$3,582.16	\$3,689.62	\$3,800.31	\$3,914.32
Miscellaneous/Contingency	\$25,000.00	\$25,750.00	\$26,522.50	\$27,318.18	\$28,137.72	\$28,981.85	\$29,851.31	\$30,746.85	\$31,669.25	\$32,619.33
Equipment Replacement	\$200,000.00	\$206,000.00	\$212,180.00	\$218,545.40	\$225,101.76	\$231,854.81	\$238,810.46	\$245,974.77	\$253,354.02	\$260,954.64
Sales Tax	\$5,000.00	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37	\$5,970.26	\$6,149.37	\$6,333.85	\$6,523.87
Employee Travel Expense	\$5,000.00	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37	\$5,970.26	\$6,149.37	\$6,333.85	\$6,523.87
County Fee Assessment	\$25,000.00	\$25,750.00	\$26,522.50	\$27,318.18	\$28,137.72	\$28,981.85	\$29,851.31	\$30,746.85	\$31,669.25	\$32,619.33
Debt Service Principle	\$1,035,000.00	\$700,000.00	\$720,000.00	\$745,000.00	\$765,000.00	\$790,000.00	\$810,000.00	\$835,000.00	\$860,000.00	\$885,000.00
Debt Service Interest	\$589,368.00	\$579,018.00	\$558,018.00	\$536,418.00	\$514,068.00	\$491,118.00	\$467,418.00	\$443,118.00	\$418,068.00	\$392,268.00
<b>Total</b>	<b>\$5,760,594.00</b>	<b>\$5,539,330.78</b>	<b>\$5,666,140.16</b>	<b>\$5,801,183.83</b>	<b>\$5,934,426.80</b>	<b>\$6,076,137.57</b>	<b>\$6,216,288.15</b>	<b>\$6,365,154.26</b>	<b>\$6,517,715.35</b>	<b>\$6,674,104.77</b>

**Pope Douglas Solie Waste Management Projected 10 Year Budget**  
**Ash Landfill**  
**+3%**

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Employee Payroll	\$14,385.00	\$14,816.55	\$15,261.05	\$15,718.88	\$16,190.44	\$16,676.16	\$17,176.44	\$17,691.74	\$18,222.49	\$18,769.16
PERA	\$1,043.00	\$1,074.29	\$1,106.52	\$1,139.71	\$1,173.91	\$1,209.12	\$1,245.40	\$1,282.76	\$1,321.24	\$1,360.88
FICA	\$892.00	\$918.76	\$946.32	\$974.71	\$1,003.95	\$1,034.07	\$1,065.09	\$1,097.05	\$1,129.96	\$1,163.86
Medicare	\$209.00	\$215.27	\$221.73	\$228.38	\$235.23	\$242.29	\$249.56	\$257.04	\$264.75	\$272.70
Telephone	\$3,000.00	\$3,090.00	\$3,182.70	\$3,278.18	\$3,376.53	\$3,477.82	\$3,582.16	\$3,689.62	\$3,800.31	\$3,914.32
Electricity	\$2,500.00	\$2,575.00	\$2,652.25	\$2,731.82	\$2,813.77	\$2,898.19	\$2,985.13	\$3,074.68	\$3,166.93	\$3,261.93
Gas/Oil	\$300.00	\$309.00	\$318.27	\$327.82	\$337.65	\$347.78	\$358.22	\$368.96	\$380.03	\$391.43
Leachate Hauling	\$40,000.00	\$41,200.00	\$42,436.00	\$43,709.08	\$45,020.35	\$46,370.96	\$47,762.09	\$49,194.95	\$50,670.80	\$52,190.93
Ash Hauling/Cover	\$300,000.00	\$309,000.00	\$318,270.00	\$327,818.10	\$337,652.64	\$347,782.22	\$358,215.69	\$368,962.16	\$380,031.02	\$391,431.96
Monitoring/Water Testing	\$35,000.00	\$36,050.00	\$37,131.50	\$38,245.45	\$39,392.81	\$40,574.59	\$41,791.83	\$43,045.59	\$44,336.95	\$45,667.06
Leachate Treatment	\$25,000.00	\$25,750.00	\$26,522.50	\$27,318.18	\$28,137.72	\$28,981.85	\$29,851.31	\$30,746.85	\$31,669.25	\$32,619.33
Other Professional Technical	\$20,000.00	\$20,600.00	\$21,218.00	\$21,854.54	\$22,510.18	\$23,185.48	\$23,881.05	\$24,597.48	\$25,335.40	\$26,095.46
Building/Grounds Maintenance	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
Equipment Maintenance	\$15,000.00	\$15,450.00	\$15,913.50	\$16,390.91	\$16,882.63	\$17,389.11	\$17,910.78	\$18,448.11	\$19,001.55	\$19,571.60
Travel/Mileage/Registration	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
General Operating Supplies	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
Safety Equipment Supplies	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51	\$1,159.27	\$1,194.05	\$1,229.87	\$1,266.77	\$1,304.77
Misc. Expense Sand Cover	\$15,000.00	\$15,450.00	\$15,913.50	\$16,390.91	\$16,882.63	\$17,389.11	\$17,910.78	\$18,448.11	\$19,001.55	\$19,571.60
Financial Assurance	\$5,000.00	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37	\$5,970.26	\$6,149.37	\$6,333.85	\$6,523.87
Future Construction Fund	\$150,000.00	\$50,000.00	\$51,500.00	\$53,045.00	\$54,636.35	\$56,275.44	\$57,963.70	\$59,702.61	\$61,493.69	\$63,338.50
<b>Total</b>	<b>\$631,329.00</b>	<b>\$545,768.87</b>	<b>\$562,141.94</b>	<b>\$579,006.19</b>	<b>\$596,376.38</b>	<b>\$614,267.67</b>	<b>\$632,695.70</b>	<b>\$651,676.57</b>	<b>\$671,226.87</b>	<b>\$691,363.68</b>

**Projected Annual Cost Per Household  
For Pope and Douglas County Residents to Fund Waste Abatement Programs**

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b># Pope County Households</b>	6,164	6,213	6,263	6,313	6,363	6,414	6,465	6,517	6,569	6,621
<b># Douglas County Households</b>	17,674	17,921	18,172	18,426	18,684	18,946	19,192	19,441	19,694	19,950
<b>Total Households</b>	<b>23,838</b>	<b>24,134</b>	<b>24,435</b>	<b>24,739</b>	<b>25,047</b>	<b>25,360</b>	<b>25,657</b>	<b>25,958</b>	<b>26,263</b>	<b>26,571</b>
<b>Waste Abatement Budget</b>	\$626,629.00	\$645,427.87	\$664,790.71	\$684,734.43	\$705,276.46	\$726,434.75	\$748,227.80	\$770,674.63	\$793,794.87	\$817,608.72
<b>Cost Per Household To Administer Waste Abatement Programs</b>	\$26.29	\$26.74	\$27.21	\$27.68	\$28.16	\$28.64	\$29.16	\$29.69	\$30.22	\$30.77

**Projected Cost Per Ton  
To Operate the Waste To Energy Facility,  
Materials Recycling Facility and Ash Landfill Combined**

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Combined Operating Costs</b>	7,552,409	7,280,400	7,459,442	7,648,284	7,836,940	8,035,727	8,234,665	8,444,082	8,659,011	8,835,537
<b>Tons Processed</b>	91,306	92,873	94,502	96,192	97,948	94,770	96,663	98,630	100,670	102,789
<b>Cost Per Ton To Process</b>	\$82.72	\$78.39	\$78.93	\$79.51	\$80.01	\$84.79	\$85.19	\$85.61	\$86.01	\$85.96

**Pope Douglas Solid Waste Management Projected 10 Year Budget  
2012-2021 Revenue**

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Tipping Fee</b>	\$5,265,000.00	\$5,422,950.00	\$5,585,638.50	\$5,753,207.66	\$5,925,803.88	\$6,103,578.00	\$6,286,685.34	\$6,475,285.90	\$6,669,544.48	\$6,869,630.81
<b>Steam Sales</b>	\$905,000.00	\$932,150.00	\$960,114.50	\$988,917.94	\$1,018,585.47	\$1,049,143.04	\$1,080,617.33	\$1,113,035.85	\$1,146,426.92	\$1,180,819.73
<b>SCORE</b>	\$140,000.00	\$144,200.00	\$148,526.00	\$152,981.78	\$157,571.23	\$162,298.37	\$167,167.32	\$172,182.34	\$177,347.81	\$182,668.25
<b>Interest Income</b>	\$25,000.00	\$25,750.00	\$26,522.50	\$27,318.18	\$28,137.72	\$28,981.85	\$29,851.31	\$30,746.85	\$31,669.25	\$32,619.33
<b>Tri-County Stipend</b>	\$14,000.00	\$14,420.00	\$14,852.60	\$15,298.18	\$15,757.12	\$16,229.84	\$16,716.73	\$17,218.23	\$17,734.78	\$18,266.82
<b>MRF Commodity Sales</b>	\$500,000.00	\$515,000.00	\$530,450.00	\$546,363.50	\$562,754.41	\$579,637.04	\$597,026.15	\$614,936.93	\$633,385.04	\$652,386.59
<b>Service Fee Needed</b>	\$1,000,000.00	\$1,030,000.00	\$1,060,900.00	\$1,092,727.00	\$1,125,508.81	\$1,159,274.07	\$1,194,052.30	\$1,229,873.87	\$1,266,770.08	\$1,304,773.18
<b>Total</b>	\$7,849,000.00	\$8,084,470.00	\$8,327,004.10	\$8,576,814.22	\$8,834,118.65	\$9,099,142.21	\$9,372,116.48	\$9,653,279.97	\$9,942,878.37	\$10,241,164.72

## **APPENDIX C**

# **DOUGLAS COUNTY EXISTING AND FUTURE LAND USE MAPS**

**DOUGLAS COUNTY  
Comprehensive Plan**

**Figure 5-1:  
Existing Land Use**

**Parcel Assessed Land Use**

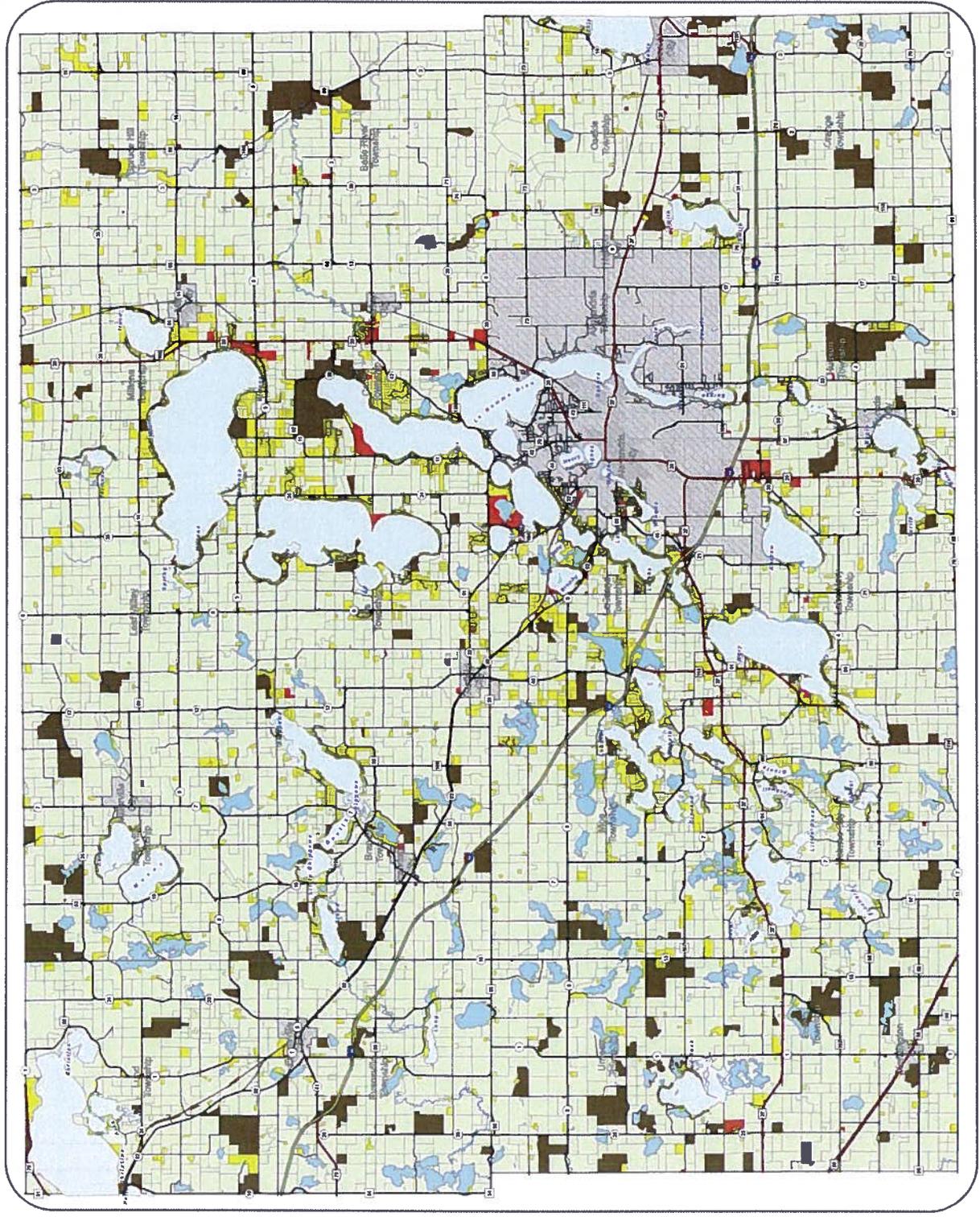
- Agricultural/Rural
- Commercial/Industrial
- Residential
- Public/Semi-public
- Municipalities
- Water
- Other

Data Source:  
MDCOT & Douglas County



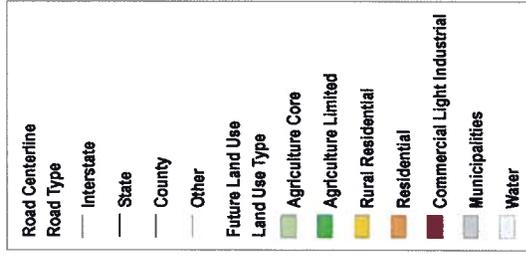
Map of Douglas County, Minnesota, showing land use data. The data is derived from the Douglas County Assessor's Office. The map is for informational purposes only and does not constitute a warranty of accuracy. The map is subject to change without notice. The map is not to be used for legal purposes. The map is not to be used for any other purpose. The map is not to be used for any other purpose. The map is not to be used for any other purpose.

DEW: BAC2011  
CREATED BY: DOUGLAS COUNTY SURVEY AND GIS



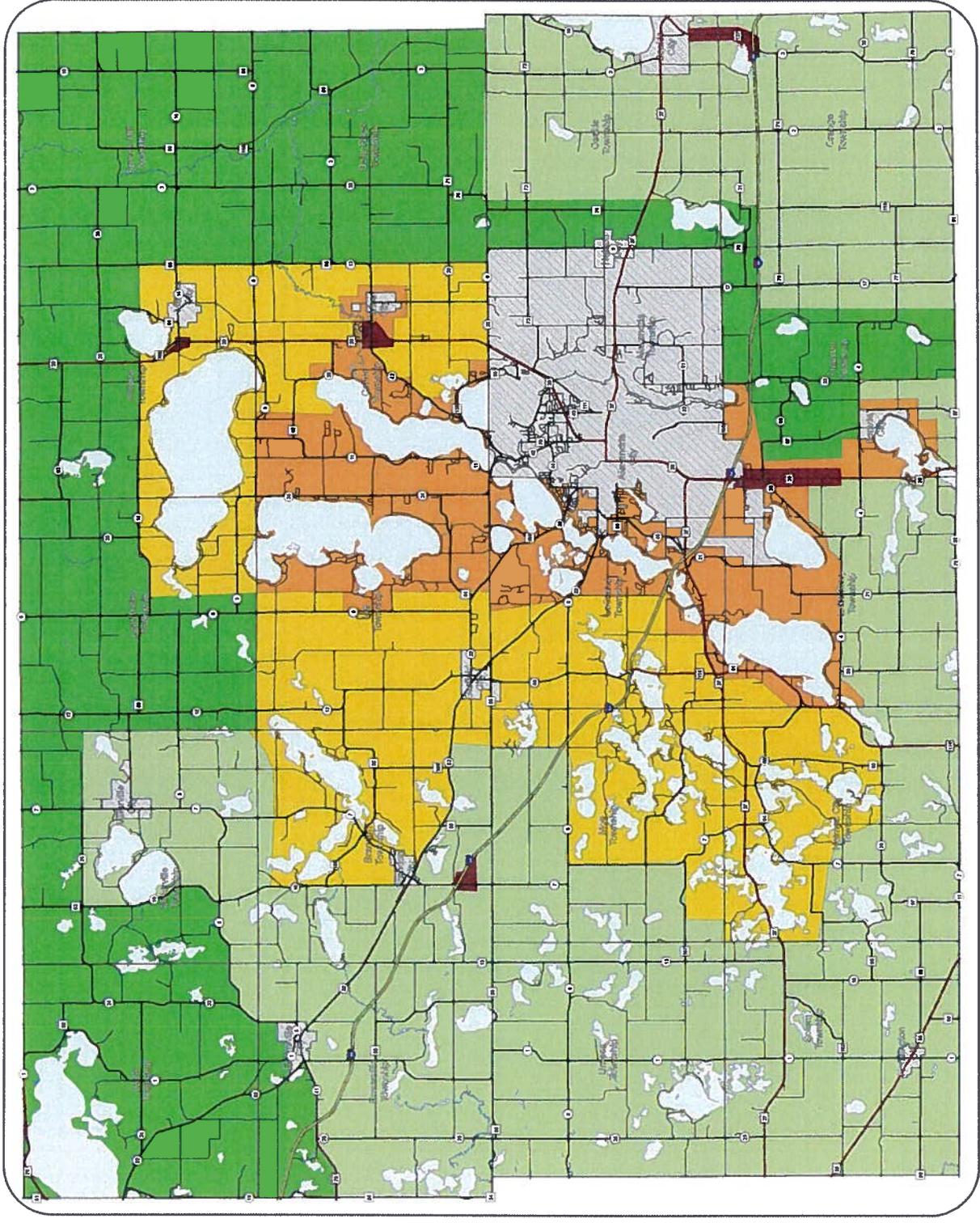
**DOUGLAS COUNTY  
Comprehensive Plan**

**Figure 5-2: Future  
Land Use**



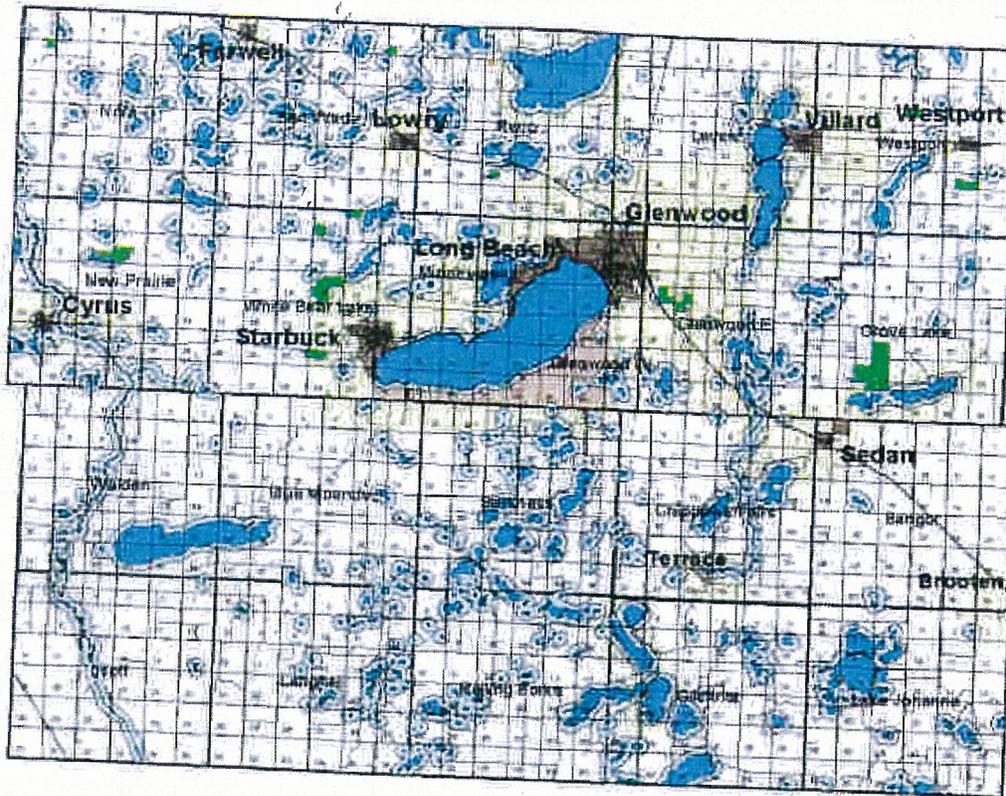
THIS MAP IS A PART OF A COMPREHENSIVE PLAN FOR DOUGLAS COUNTY, MISSOURI, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE COUNTY ENGINEER HAS REVIEWED THIS MAP FOR TECHNICAL ACCURACY AND COMPLIANCE WITH THE MISSOURI PLANNING ACT. THE COUNTY ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ACCURACY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. THE COUNTY ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ACCURACY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.

CREATED BY: DOUGLAS COUNTY SURVEY AND GIS Date: 8/20/11



**Appendix D**  
**POPE COUNTY ZONING MAP**

**P  
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- Roads
- Public Waters
- Wildlife areas
- Municipality
- Zones
- Non-intensive Agriculture (A-1)
- Agriculture Protection (A-2)
- Residential Districts (R)
- Shoreland Districts



This information is for general reference purposes only and should not be used as the final determination of District boundaries.

January 1, 2008

## **Appendix E**

### **MSW COMPOSITION STUDY RESULTS**



- Transportation
- Incineration
- Landfilling
- Hazardous Waste Mgmt
- Solidification
- Liquid Waste Mgmt
- Waste Water
- TSCA / PCB / Asbestos
- Beneficial Re-Use
- Remediation
- Soil Treatment
- Soil Disposal
- Stabilization
- Bio-Remediation
- Regulatory Compliance
- Permitting
- Waste Characterization
- Analytical Testing

April 27, 2009

Mr. Peter Olmscheid  
 Pope/Douglas Solid Waste Management  
 2115 South Jefferson Street  
 Alexandria, MN 56308

Re: 2009 Solid Waste Composition Study Results

Dear Mr. Olmscheid:

This report summarizes the results from the Solid Waste Composition Study (Study) performed by your facility during the month of March, 2009.

For each of the 40 samples collected, results were tabulated and averaged to determine the overall percentages of the fractions separated from the waste streams. The field data sheets from the Study are included in Appendix D. Tabulated results are included in Appendix A. Results are summarized as follows for the combustible and non-combustible waste fraction groupings in Table 1:

**Table 1: Weight Fractions of each Fraction Grouping Present in MSW**

Total Combustibles		
Item	Lbs	wt%
Paper	3,194.0	31.16%
Cardboard	454.9	4.44%
Plastic	1,633.4	15.93%
Organics	2,720.8	26.54%
Electronics	133.5	1.30%
<b>Total</b>	<b>8,136.6</b>	<b>79.37%</b>

Total Non-Combustibles		
Item	Lbs	wt%
Various	2,115.1	20.63%
<b>Total</b>	<b>10,251.7</b>	<b>100.00%</b>

Results for each of the individual fractions are presented below in Table 2:

**Table 2: Weight Fractions of Each Individual Fraction Present in MSW**

Fraction	Sample	Top Fines	Bottom Fines	Non-separables	Total (Lbs)	Wt%
Paper – Newsprint	442.1				442.1	4.3%
Paper – Other	2,720.1	28.0	3.8	0.0	2,751.9	26.8%
Cardboard – Clean Corrugated	341.1				341.1	3.3%
Cardboard – Other	113.8	0.0	0.0	0.0	113.8	1.1%
Plastic – HDPE	90.5				90.5	0.9%
Plastic – PET	141.2				141.2	1.4%
Plastic – PVC	7.2				7.2	0.1%
Plastic – Other	1,361.5	8.0	1.3	23.7	1,394.5	13.6%
Organic Material – Yard Waste	59.1				59.1	0.6%
Organic Material – Other	2,169.3	149.3	332.5	10.7	2,661.7	26.0%
Electronics / Small Appliances	133.5				133.5	1.3%
Ferrous Metals	301.3	0.1	0.5	3.3	305.1	3.0%
Non-Ferrous Metals – Aluminum Cans	67.3				67.3	0.7%
Non-Ferrous Metals – Other	99.1	0.0	0.0	0.0	99.1	1.0%
Glass	358.9	13.5	10.4	1.0	383.8	3.7%
Inorganic Material	1,193.4	9.0	19.1	7.0	1,228.5	12.0%
Solid Wastes Containing Mercury	0.2	0.0	0.0	0.0	0.2	0.0%
Household Hazardous Waste	31.0				31.0	0.3%
<b>Total</b>	<b>9,630.6</b>	<b>207.9</b>	<b>367.6</b>	<b>45.6</b>	<b>10,251.7</b>	<b>100.0%</b>

Samples were submitted to MVTL Laboratories for analysis to determine proximate analysis, heating value, and ultimate analysis of the combustible fractions. MVTL homogenized and split samples pursuant to the Solid Waste Composition Study procedures. Four individual samples were analyzed. Analytical results are included in Appendix B.

A Summary of the proximate analysis, ultimate analysis, and heating value analytical results are presented below in Tables 3, 4, and 5, respectively. Calculations are included in Appendix C.

**Table 3: Proximate Analysis (Combustible Fractions Only)**

Analyte	Units	Sample 1	Sample 2	Sample 3	Sample 4	Average
Total Moisture	wt%	31.89%	31.83%	31.77%	31.89%	31.85%
Ash	wt%	6.71%	6.66%	6.81%	6.99%	6.79%
Volatile Matter	wt%	52.66%	52.35%	53.15%	53.32%	52.87%
Total Sulfur	wt%	0.08%	0.08%	0.09%	0.09%	0.09%
Fixed Carbon (By Difference)	wt%	8.66%	9.08%	8.18%	7.71%	8.41%
<b>Total</b>		<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 4: Ultimate Analysis (Combustible Fractions Only)**

Analyte	Units	Sample 1	Sample 2	Sample 3	Sample 4	Average
Total Moisture	wt%	31.89%	31.83%	31.77%	31.89%	31.85%
Ash	wt%	6.71%	6.66%	6.81%	6.99%	6.79%
Carbon	wt%	29.22%	29.76%	30.42%	28.34%	29.44%
Hydrogen	wt%	7.33%	7.43%	7.58%	7.83%	7.54%
Nitrogen	wt%	0.20%	0.20%	0.35%	0.29%	0.26%
Total Sulfur	wt%	0.08%	0.08%	0.09%	0.09%	0.09%
Chlorine	wt%	1.21%	1.56%	0.86%	1.52%	1.29%
Oxygen (By Difference)	wt%	55.25%	54.31%	53.89%	54.94%	54.60%
<b>Total</b>		<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 5: Heating Value (Combustible Fractions Only)**

Analyte	Units	Sample 1	Sample 2	Sample 3	Sample 4	Average
Heating Value	Btu/lb.	5,351	4,937	5,251	5,396	5,234

The above results were numerically adjusted to take into account the non-combustible fraction of waste to represent the proximate analysis, ultimate analysis, and heating value of MSW as incinerated. These results are presented below in Tables 6, 7, and 8, respectively:

**Table 6: Proximate Analysis (As Incinerated)**

Analyte	Result as Incinerated
Total Moisture	25.27%
Ash	5.39%
Volatile Matter	41.96%
Total Sulfur	0.07%
Fixed Carbon (By Difference)	6.67%
Non-Combustibles	20.63%
<b>Total</b>	<b>100.00%</b>

**Table 7: Ultimate Analysis (As Incinerated)**

Analyte	Result as Incinerated
Total Moisture	25.27%
Ash	3.67%
Carbon	15.92%
Hydrogen	4.08%
Nitrogen	0.14%
Total Sulfur	0.05%
Chlorine	0.70%
Oxygen (By Difference)	29.53%
Non-Combustibles	20.63%
<b>Total</b>	<b>100.00%</b>

**Table 8: Heating Value (As Incinerated)**

Analyte	Units	
Heating Value	Btu/lb.	4,154

If you have any questions or comments regarding this report, or if you require any additional information, please feel free to contact us at (612) 285-9865.

Sincerely,  
SWDI



David W. Estensen  
Compliance & Regulatory Affairs Manager

cc: Anne Jackson, MPCA (2)  
Kathy Holland-Hanson

**Appendix F**  
**JOINT POWERS AGREEMENT**

**SECOND AMENDED**  
**JOINT POWERS AGREEMENT**

THIS JOINT POWERS AGREEMENT made this 22 day of August, 2003,  
between the counties of Douglas and Pope which are both political subdivisions of the State of  
Minnesota.

WHEREAS, the parties previously entered into a **JOINT POWERS AGREEMENT FOR  
SOLID WASTE MANAGEMENT** dated the 7<sup>th</sup> day of December, 1983, and which was amended  
by Agreement dated April 9, 1997; and,

WHEREAS, the parties now desire to change the amended agreement that existed between  
them and desire to substitute this agreement for the original and amended agreement; and,

WHEREAS, the parties to this agreement are authorized to jointly conduct solid waste  
planning and management activities pursuant to Minn. Stat. §400.04 and §471.59;

NOW, THEREFORE, IT IS AGREED by and between the parties for good and valuable  
consideration as follows:

**Section 1. PURPOSE:** The purpose of this agreement shall be to provide for the joint  
operation and management of an integrated solid waste system, including waste-to-energy facilities; to  
furnish solid waste management planning services for the parties hereto; and to enhance the capacity of  
the parties hereto in the enforcement of all laws, ordinances, and resolutions regulating the generation,  
storage, transportation and disposal of solid waste in Pope and Douglas Counties.

**Section 2. JOINT POWERS BOARD ESTABLISHED.** Pursuant to Minn. Stat.  
§471.59, Subd. 11, by resolution of the Boards of Commissioners, the parties hereby establish an  
agency to facilitate the joint exercise of common powers in furtherance of the purpose of this

agreement. The name of this joint agency shall be the *Pope/Douglas Joint Solid Waste Management Board (herein JOINT BOARD)*. This is the name that shall be utilized by the Pope/Douglas Joint Solid Waste Management Board when entering into any legal contracts and for all lawful proposes.

A. **Composition.** The Pope/Douglas Joint Solid Waste Management Board shall consist of five appointed members. Three members shall be appointed by the Douglas County Board of Commissioners and two members shall be appointed by the Pope County Board of Commissioners. At least one of the members appointed by each county board shall be a duly elected county commissioner seated in the appointing county. Neither County Board shall appoint a functional majority of its own body to be seated on the **JOINT BOARD**.

B. **Terms of Board Members; Removal Death or Disability.** The term of each board member shall as determined by the County Board that appoints the Board member. The Board member shall serve at the pleasure of the appointing County Board.

C. **Conduct of Meetings.** A majority of the members shall constitute a quorum and the Board shall be governed by the most recent edition of *Robert's Rules of Order*. Each member of the **JOINT BOARD** shall be entitled to one vote and any action taken by the **JOINT BOARD** shall be approved by majority vote.

If any member is unable to attend a meeting in person, the member may participate in the meeting by electronic communication in the same manner as if the member were present in person.

D. **Election of Officers.** Notwithstanding any other provision herein, the Pope/Douglas Joint Solid Waste Management Board shall meet at least annually. At the first meeting of the **JOINT BOARD** following January 1 in each year, the Board shall by majority vote elect a chair and vice-

chair. The term of each of these officers shall be for one calendar year, but each officer shall continue in his or her elected capacity until a successor is elected and qualified.

The chair shall be responsible for running the meetings of the **JOINT BOARD**, and in the absence of the chair, the vice-chair shall perform this function.

The **JOINT BOARD** shall also annually elect a recording secretary its membership provided, however, that the **JOINT BOARD** may assign this function to an executive director or other qualified employee of the **JOINT BOARD** in lieu of filling this office.

E. **Regular Meetings.** The Pope/Douglas Joint Solid Waste Management Board shall meet regularly at such intervals and at such time and place as the Board shall designate. A schedule of such meetings shall be kept on file at the primary office of the **JOINT BOARD** located at 2115 South Jefferson, Alexandria, Minnesota 56308. Special meetings may be held at any time subject to the call of the chair of the **JOINT BOARD** or demand of any two **JOINT BOARD** members pursuant to the provisions of Minn. Stat. §471.705.

F. **Compliance with Open Meeting Law.** The parties hereto acknowledge that the Pope/Douglas Joint Solid Waste Management Board is an agent of the governmental entities that are parties hereto. It is agreed that all meetings of the **JOINT BOARD** must conform to the notice and distribution of information requirements of Minn. Stat. §471.705.

G. **Compensation of Joint Board.** The **JOINT BOARD** shall annually recommend the amount of compensation to be paid to each member hereto which shall be submitted as a line item within the **JOINT BOARD'S** annual budget recommendation. All members appointed to the **JOINT BOARD** shall be compensated at a uniform rate.

H. **Powers and Duties.** The Pope/Douglas Joint Solid Waste Management Board shall have the power and authority necessary and needed to satisfy the purposes of this Joint Powers Agreement, except as reserved in this agreement, and it shall be the duty of the **JOINT BOARD** to exercise such powers in furtherance of such powers. Specifically, the **JOINT BOARD** may and shall:

1. Maintain, and operate any solid waste management system, together with any and all real and personal property jointly owned by the parties hereto in furtherance of the purposes stated herein.
2. Devise, implement, administer, and operate any recycling program, as defined in Minn. Stat. §115A.03, Subd. 25b, or other source reduction program which it may deem appropriate and advisable, and to prepare and present requests and recommendations to the parties hereto for any ordinances or resolutions necessary to such program.
3. Administer, operate and maintain any ash and/or by-pass landfill or other source reduction program which it may deem critical and necessary for the purposes of this agreement, and to prepare and present requests and recommendations to the parties hereto for any ordinances or resolutions necessary to such program.
4. Purchase and lease materials, equipment, machinery and such other personal property as is necessary for the purposes hereof, subject to the Uniform Municipal Contracting Law as set forth in Minn. Stat. §471.345.
5. Sell, lease, convey or otherwise dispose of any personal property held for solid waste management purposes, upon determination that it is no longer needed for such purposes, or, upon approval of both parties hereto, may transfer such property to either party hereto for any other lawful county purposes. Property disposed of pursuant to this provision shall be sold, leased and conveyed upon advertisement for bids in accordance with Minn. Stat. §373.01.
6. Contract for services necessary to further the purposes of this agreement including but not limited to legal, management, planning, facility maintenance, office equipment maintenance and other necessary services.
7. Hire and compensate an executive director to perform the functions and duties set forth herein and to hire and compensate such other employees as it deems reasonable and necessary.

8. Collect and maintain data on an ongoing basis upon which the base future waste management planning decisions. Such data shall include, but is not limited to: population of each county; seasonal population trends of each county; source and quantity of waste generated within each respective county, numbers of individual parcels of real estate and real estate trends in each county.
9. Prepare or provide for surveys and plans to determine locations available, appropriate, and suitable for property and facilities needed for the programs and facilities owned, operated or administered by the **JOINT BOARD**, and for the improvement of property and facilities owned pursuant to this agreement.
10. Submit budgetary and operational recommendations to both parties hereto on an annual basis. Such recommendations should at a minimum identify all revenue generated by the **JOINT BOARD'S** activities during the preceding year, summarize the financial condition of the parties' joint waste management efforts, and identify any anticipated need for tax levies, bonding authority or changes in service fees or tipping fees.
11. Furnish recommendations at such time as the **JOINT BOARD** deems necessary and property regarding the following:
  - (a) establishment and or modification of waste management service areas, as defined in Minn. Stat. §400.08, within the counties of Pope and Douglas;
  - (b) imposition of service charges and or levy of taxes within such service areas in furtherance of the purposes of this agreement;
  - (c) the manner and timing of collection of such charges as the parties may impose in furtherance of this agreement in a manner consistent with Minn. Stat. §400.08, Subd. 4;
  - (d) establishment or modification of ordinances to be adopted by the parties hereto regarding solid waste and sewage sludge management for the purposes set forth in Minn. Stat. §400.16;
  - (e) establishment and or modification of ordinances to be adopted by the parties hereto regarding identification, labeling, collection, processing, storage and disposal of hazardous waste for the purposes set forth in Minn. Stat. §400.161; and,
12. Maintain a solid waste management fund within the Douglas County treasury for the purposes set forth in Minn. Stat. §400.13.
13. Accept gifts, grants or loans of other property from the United States of America, the State of Minnesota, or any agency or subdivision thereof, or from any other source, for

any reason in furtherance of the purposes of this agreement; may enter any agreement required in connection therewith, for repayment or otherwise, and may hold, use, and dispose of such money or property in accordance with the terms of the gifts, grant, loan or agreement.

14. Hire and employ an executive director and such other staff as the **JOINT BOARD** deems necessary to meet the objectives of the **JOINT BOARD** and the purposes of this agreement.

**Section 4. EXECUTIVE DIRECTOR: POWERS AND DUTIES.** If the **JOINT**

**BOARD** elects to hire an executive director, such executive director may function as the recording secretary and reporting treasurer for the **JOINT BOARD** and, in the **JOINT BOARD'S** discretion, may also be authorized and directed to perform any and all of the following duties:

1. To assume responsibility for hiring, placement and supervision of all employees of the **JOINT BOARD** and all personnel relations requirements associated with the **JOINT BOARD'S** activities.
2. To purchase or acquire any and all personal property necessary for the operation of any property, facility or program owned, operated or maintained by the **JOINT BOARD** for the purposes of this agreement.
3. To provide for the planning, scheduling, and conduct of all business incidental to the operation of the **JOINT BOARD** including the purchase of all supplies, materials and services required.
4. To examine regularly the books, papers and accounts of the **JOINT BOARD** and all property, facilities and programs owned, operated, or maintained by the **JOINT BOARD** and to report to the **JOINT BOARD** the condition in which the executive director finds them and other information as the **JOINT BOARD** may direct.
5. To submit to the **JOINT BOARD** recommendations concerning the affairs of the **JOINT BOARD** and all of its property, facilities and programs, its future financial needs and the future needs of the property facilities and programs owned, operated or maintained by the **JOINT BOARD**.
6. To see that all orders, resolutions and directives of the **JOINT BOARD** are faithfully executed.
7. To initiate and present an annual report and a proposed annual budget to the **JOINT BOARD** for review and consideration and, upon adoption of a proposed budget by

the **JOINT BOARD**, to prepare and transmit such recommended budget to each party hereto for consideration by each County Board during its annual budget cycle.

**Section 5. ANNUAL BUDGET:** The **JOINT BOARD** shall prepare an annual budget recommendation for submission to the Pope and Douglas County Board of Commissioners. The proposed budget shall be submitted as required to meet the timing needs of each party during its annual budget cycle. The proposed budget shall be presented in reasonable detail and summary information concerning individual items shall be supplemented upon request of either County Board. The parties shall set the budget in the amount recommended by the **JOINT BOARD** unless the budget or any line item thereof is rejected by both parties hereto. In that event, each party shall identify specific reasons for rejecting the recommendation and the matter so disapproved shall be returned to the **JOINT BOARD** together with a request for a revised recommendation. If, upon re-submission, the revised budget proposal or any line item thereof is again rejected by both of the parties hereto, the matter shall be resolved by majority vote at a special joint meeting of the Pope and Douglas Boards of Commissioners.

**Section 6. HANDLING OF ACCOUNTING.** Douglas County shall be responsible for receiving and disbursing all funds received by the **JOINT BOARD**. The parties hereto shall, in proportion to their respective shares of ownership of the assets of this joint venture as set forth herein, indemnify and hold Douglas County harmless from any act Douglas County may have done or failed to do while performing this service on behalf of the **JOINT BOARD**.

**Section 7. OWNERSHIP OF REAL AND PERSONAL PROPERTY.** A twenty-five percent (25%) interest in real and personal property owned by the parties as of the date hereon,

whether by authority of this agreement or any agreement of the parties which this agreement succeeds, is and shall be deemed to be owned by Pope County. The remaining seventy-five percent (75%) interest in such is and shall be deemed to be owned by Douglas County.

In the event that the parties elect to expand the waste-to-energy facility by adding a third incinerator to complement the two incinerators owned by the parties as of the date hereof, Pope County shall contribute fifteen percent (15%) and Douglas County shall contribute eighty-five percent (85%) of the capital cost of purchasing and constructing the third incinerator. Upon completion, Douglas County shall be deemed to own an eight-five percent (85%) interest in such third incinerator.

In the event of a termination of this agreement, the real and personal property identified above shall be liquidated and or distributed in the manner and in the proportions of value as set forth herein.

**Section 8. APPOINTMENT OF REVENUE AND EXPENSES.** The revenue and expenses attributed to or generated by the facilities, programs, and property owned or maintained by the parties pursuant to this agreement shall be allocated with 75% attributable to Douglas County and 25% attributable to Pope County.

**Section 9. EFFECTIVE DATE.** The Joint Powers Agreement expressed herein was first contemplated and authorized by Douglas County by adoption of a prior Joint Powers Agreement on November 28, 1983, and by Pope County by adoption of a prior Joint Powers Agreement on November 28, 1983. It was subsequently amended by the parties by a Joint Powers Agreement dated April 9, 1997. This agreement reaffirms and ratifies all prior Agreements and actions of the Pope/Douglas County Solid Waste Management **JOINT BOARD** as set forth in the prior joint agreements set forth above and shall be effective on the last date of execution by the appropriate parties.

**Section 10. TERMINATION.** The Joint Powers Agreement shall remain in full force and effect until terminated by either party by giving 180 days written notice to the other party of their intention to withdraw from the terms of this agreement. If such a notice is given, the remaining county may, in its discretion, purchase the withdrawing counties' interest in the real and personal property owned by the parties pursuant to this agreement. If the parties cannot agree on the purchase price and/or the method of payment, the parties shall submit this matter to mandatory arbitration. Each party shall select an arbitrator and pay him/her. The two selected arbitrators shall select a neutral arbitrator who shall be paid equally by the parties. A majority of the arbitrators, pursuant to the Rules of the American Arbitration Association, shall hear and decide the issues presented to them which may include without limitation the purchase price and method of payment for the parties' jointly owned property. The arbitrator's decision shall be binding and final. If either county wishes to purchase the assets jointly owned by the parties pursuant to this agreement, such assets shall be sold to the county which desires to make such a purchase and the proceeds of the sales used to pay any and all debts and obligations of the board. Any proceeds remaining after the payment of all debt shall be distributed in proportion to the parties respective ownership interests as set forth above.

**Section 11. ASSIGNMENT.** Neither party may assign their interest in this Joint Powers Agreement to any other party without the express written consent of the other party.

**Section 12. AMENDMENT.** This agreement may not be amended or modified without the written consent of both parties after resolution by the parties' respective Boards of Commissioners.

**Section 13. REVIEW OF APPORTIONMENT.** The apportionment of ownership interest and allocation of costs and profit among the parties hereto shall be reviewed by each party no more than two years from the date hereof, and at least once every five (5) years following such review. Each

review shall be had at a public hearing and the purpose of the review shall be to determine whether the formula contained herein continues to be fair and appropriate to both parties in light of current demographic and waste stream characteristics of the parties hereto.

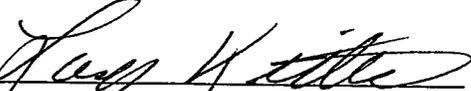
**Section 14. ENFORCEMENT OF AGREEMENT.** Failure of either county to timely service loans or bonds issued for the purposes of this agreement or to timely furnish funds as may be required to satisfy the budgetary needs of the Joint Powers Boards as established herein, shall constitute a default. If either party to this agreement alleges that the other party is in default or has otherwise breached the terms of this agreement, the county alleging the default may initiate suit in the Douglas County District Court. Any Judgment rendered against either party by reason of failure to fully comply with this Joint Powers Agreement shall be enforced in the same manner as any Judgment acquired by law.

**COUNTY OF DOUGLAS**

By   
Chair, Board of Commissioners

Date: 8-22-03

**COUNTY OF POPE**

By   
Chair, Board of Commissioners

Date: 7-03-03

**Appendix G**  
**SCORE REPORT for 2010**



## 2010 SCORE Survey

### Pope/Douglas County 2010 Final

#### 1. Program Survey

##### County solid waste collection system

- |    |   |                    |   |
|----|---|--------------------|---|
| 1. | Are all solid waste generators, including farmers, prohibited by county ordinance or county board resolution from:  |                    |   |
|    | a. Burying or dumping household wastes on-site?   | Yes                |   |
|    | b. Burning household wastes on-site?  | Yes                |   |
| 2. | Solid waste hauler licensing (Minn. Stat. 115A.93)  |                    |   |
|    | a. Are all solid waste haulers who operate in the county licensed by the county?  | Yes                |   |
|    | b. Are all solid waste haulers who are not licensed by the county licensed by cities or towns?  | N/A                |   |
|    | c. Do all licenses require a variable-rate pricing structure?   | No                 |   |
| 3. | Does the county apply a surcharge (Minn. Stat. 115A.919, subd. 2) in addition to the tip fee to waste disposed in the county or charge a service fee (i.e. line item on property tax or utility bill) to residents and/or businesses? |                    |   |
|    | a. What is the surcharge for county waste?  | \$ per ton:        | 0 |
|    |   | \$ per cubic yard: | 0 |
|    | b. What is the surcharge for out-of-county waste?   | \$ per ton:        | 0 |
|    |   | \$ per cubic yard: | 0 |
|    | c. What is the total revenue generated from service fees charged to:  | Businesses:        | 0 |
|    |   | Residents:         | 0 |

If you can't break out by business and residential but know the grand total, list here: 1197456

- |    |   |   |
|----|---|---|
| 4. | How many sites in the county are available for self-hauling of MSW? Includes sites with one or more public canisters, transfer stations and processing/disposal facilities. | 3 |
|----|---|---|

##### County solid waste SCORE staffing

How many county full-time equivalent (FTE) staff worked on the following activities?

- |     |  |      |
|-----|--|------|
| 5.  | Source reduction   | 0    |
| 6a. | Recycling collection and processing                                  | 0    |
| 6b. | Recycling administration/support staff                               | 0    |
| 7.  | Yard waste   | 0    |
| 8.  | Waste education  | 0    |
| 9.  | HHW & problem materials  | 0    |
| 10. | Other SCORE program planning and administration                      | 0    |
| 11. | Total County SCORE Staff   | 0.00 |
| 12. | How many city and township staff worked on SCORE-related activities? | 0    |

##### Recycling

- |     |  |        |
|-----|--|--------|
| 13. | How many cities and townships offer curbside recycling at least once monthly?  | 25     |
| 14. | Estimate the population served by residential curbside recycling programs.   | 35,000 |
| 15. | Do all cities in your county with a population greater than 20,000 (cities greater than 5,000 in metropolitan counties) provide curbside recycling to residents? | N/A    |
| 16. | Do all cities in your county with a population greater than 5,000 provide curbside recycling and/or recycling center to residents?                               | Yes    |
| 17. | Does the county have a specific program to promote   | Yes    |

	commercial/industrial recycling?	
18.	How many recycling centers are there in the county? (please read definition, page 13)	5
19.	How many recycling stations are there in the county? (please read definition, page 14)	4
20.	How many material recovery facilities (MRF's) are there in the county?	1
21.	Has the county banned recyclable material from landfills or the disposal system? If so, identify grades (e.g. aluminum, plastic, corrugated) below. Do not include materials banned by state law:	No
22.	Has the county enacted an ordinance requiring:	No
	a. residents to recycle	No
	b. business to recycle	No
	c. haulers to provide recycling collection services	Yes
23.	If not countywide, how many cities in the county have ordinances requiring:	0
	a. residents to recycle	0
	b. business to recycle	0
	c. haulers to provide recycling collection services	0
24.	Does the county license recycling collectors?	No
25.	Does the county require recycling collectors to submit tonnage reports?	Yes
26.	Does the county, or do any municipalities, use the following labor resources for SCORE programs? Please indicate all that apply.	
	a. volunteer	No
	b. non-profit	No
	c. private sector	Yes
	d. sentence-to-serve	Yes

#### Yard Waste Management

27.	How many yard waste drop-off sites are there in the county?	3
28.	How many yard waste curbside collection programs are there in the county?	7
29.	Estimate the population served by yard waste curbside collection programs.	33,000
30.	Does the county have an ongoing education program to inform residents how to minimize yard waste generation through on-site composting, mulching and/or low-maintenance or naturalized landscaping?	Yes
31.	Does the county have an ongoing education program to inform residents how to manage yard wastes through drop-off sites or curbside collection?	Yes
32.	Has the county notified residents of the prohibition on land disposal of yard waste?	Yes

#### Household Hazardous Waste (HHW) and problem Materials

33.	Has the county provided residents with educational materials on the reduction, identification and proper management of HHW?	
34.	Did the county conduct any HHW product exchanges?	
35.	Does the county operate or cooperate in a permanent HHW facility?	
36.	How many households delivered HHW directly to a permanent HHW facility?	0
37.	How many HHW collection events were held in the county?	0
38.	How many households participated in HHW collection events?	0

#### Procurement

39a.	How often does the county use <i>The Environmentally Preferable Purchasing Guide</i> ?	Sometimes
40.	How often did the county explicitly specify recycled materials when putting out a bid?	Sometimes

41. How much money did the county spend on *recycled-content* purchases this year? \$400.00
42. Does the county procure any of the following products? Check all that apply
- |               |  |     |  |     |
|---------------|--|-----|--|-----|
| <b>Office</b> | a. recycled paper                              | Yes | k. recycled flooring                         | No  |
|               | b. recycled envelopes                          | Yes | l. integrated pest management                | No  |
|               | c. soy or agri-based inks                      | No  | m. plastic lumber                            | No  |
|               | d. energy-efficient office equipment           | Yes | n. recycled mulch                            | Yes |
|               | e. remanufactured toner cartridges             | Yes | <b>Vehicle</b> o. alternative based vehicles | No  |
|               | f. refurbished furniture                       | Yes | p. re-refined oil                            | Yes |
|               | <b>Bldg maint</b> g. recycled paper toiletries | No  | q. recycled or long-life antifreeze          | No  |
|               | h. less toxic cleaners                         | Yes | r. retread tires                             | Yes |
|               | i. recycled trash bags or bins                 | Yes | s. recycled glass road aggregate             | No  |
|               | j. recycled paint                              | Yes | t. recycled traffic cones                    | Yes |
- u. Other (please specify):
43. How many recycled-content products did the county purchase this year compared to last? Same
44. Do you have any examples of innovative approaches that address a barrier to buying recycled and/or less toxic products? No

**Electronic Appliances**

45. Did the county, or did any municipalities within the county, collect waste electronic appliances from residents as part of any recycling or HHW services?
46. Did the county, or did any municipalities within the county, have a contract for use and/or repair of electronic appliances where the county or municipality is responsible for disposal of the electronic appliance at the end of its useful life?
47. Did the county, or any municipalities within the county, have a contract for use and/or repair of electronic appliances where the contractor (usually a vendor or manufacturer) will take back the electronic appliance at the end of its useful life?
- If yes, please list types of equipment under contract:

**Feedback and Comments**

**Source Reduction Checklist**

**Promotion**

- |   |     |
|---|-----|
| 1. Advertise business source reduction success through a county awards program or through local newspapers, radio, television, or other media.      | No  |
| 2. Advertise residential source reduction success through a county awards program or through local newspapers, radio, television, or other media.   | No  |
| 3. In the last three years, conduct focus groups or a survey of businesses and institutions about source reduction activities and assistance needs. | No  |
| 4. In the last three years, conduct focus groups or a survey of residents about source reduction activities and assistance needs.                   | No  |
| 5. Establish an ongoing source reduction recognition program for county employees.  | No  |
| 6. Promote materials exchange through mailings, presentations or other media including the Internet.  | Yes |
| 7. Promote SR through television and radio appearances.   | Yes |

**General Education/Information**

- |  |     |
|--|-----|
| 8. Hosted events for Pollution Prevention Week   | No  |
| 9. Distributed materials (brochures, flyers, fact sheets, posters, etc.) to at least 25 percent of county businesses in the last 3 years.              | Yes |
| 10. Distributed materials (brochures, flyers, fact sheets, posters, etc.) to at least 25 percent of county residents in the last 3 years.              | Yes |
| 11. Developed/updated a solid and hazardous waste directory for county residents and/or businesses within the last three years.                        | Yes |
| 12. Integrated source reduction into county employee training and education programs.  | Yes |
| 13. Promote OEA's What-A-Waste Curriculum or other source reduction curriculum or activities in schools. Please list materials or activities promoted: | No  |
| 14. County staff has used resources from the OEA's Source Reduction Toolkit to implement SR programs.  | Yes |
| 15. Staffed a SR display at a county fair or similar event.  | Yes |
| 16. Incorporate SR information into a county website.  | Yes |
| 17. Distributed home composting educational materials to county residents.   | Yes |

**Outreach to County Departments & Local Governments**

- |  |     |
|--|-----|
| 18. A team that meets at least quarterly, including representatives from major county departments, that discusses SR as a formal part of the agenda. | No  |
| 19. Cooperate with other counties to fund regional SR programs to promote source reduction.  | No  |
| 20. Attend 2 or more Counties and Cities Involved in Source Reduction and Recycling (CISRR) meetings or a regional SR workshop.                      | Yes |
| 21. Attend 4 or more Counties and Cities Involved in Source Reduction and Recycling (CISRR) meetings.  | No  |

**Technical Assistance**

- |   |     |
|---|-----|
| 22. Conduct site visits to 1-10 businesses.   | Yes |
| 23. Conduct site visits to 11-40 businesses.  | No  |
| 24. Conduct site visits to 40+ businesses.  | No  |
| 25. Conduct a training session, workshop, or presentation at a business, institutional, or community event.                   | Yes |
| 26. Collaborated on a multi-county SR event (not limited to workshops and trainings).   | No  |
| 27. Conduct a waste audit or survey of at least 10 percent of county facilities within the past three years to target SR.     | No  |
| 28. Actively promoted and provided technical assistance for Minnesota Waste Wise.   | No  |
| 29. Developed a home composting bin distribution program for county residents.  | Yes |
| 30. Conducted (or co-sponsored) workshops demonstrating proper home composting techniques.                                    | No  |
| 31. Offer permanent home composting demonstration sites.  | No  |
| 32. Refer organizations to an existing materials exchange program.  | Yes |
| 33. Coordinate materials exchange through a HHW program.  | Yes |
| 34. Coordinate, work with, or provide funding or in-kind support to a local materials exchange program.                       | No  |
| 35. Actively assist in the exchange of materials between organizations.   | Yes |
| 36. Work with targeted sector of business community to reduce waste.  | Yes |
| 37. Incorporate green building goals/requirements in county construction remodeling, and maintenance bid specs and contracts. | No  |
| 38. Coordinate reuse project (other than materials exchange). Please List:  | No  |
| 39. Conduct training with county purchasers about environmentally preferable purchasing.                                      | No  |

**Policy Initiatives**

- |  |     |
|--|-----|
| 40. Resolution passed by county board on environmentally responsible | Yes |
|--|-----|

purchasing guidelines for county facilities.

- |  |     |
|--|-----|
| 41. Implement and promote a variable rate pricing system through county ordinance, licensure, or contract for collection.                                | No  |
| 42. Developed an implementation strategy in county solid waste management plan that is designed to achieve a minimum of 10% per-capita source reduction. | Yes |
| 43. Resolution passed by county board on "green building" guidelines for construction, remodeling, and maintenance of county facilities and grounds.     | No  |

**Summary: You have answered 'Yes' to 20 of 43 questions.  
Based on this, you will receive a Source Reduction Credit of 3.**

#### 4. Revenue and Expenditures

##### A. Revenues

###### 1. Calendar year 2009 revenues (1/1/2009 to 12/31/2009)

Balance carried-over from CY 2009	(\$21,039.00)	
Adjust to balance carried-over from CY 2009	\$21,039.00	
	<b>Subtotal A1</b>	<b>\$0.00</b>

###### 2. Calendar year 2010 revenues (1/1/2010 to 12/31/2010)

County local revenue sources:

General Revenue (special assessments, levy, prop. tax, etc.)	\$250,000.00	
Service fee	\$0.00	
Processing facility tip fee	\$0.00	
Land disposal facility surcharge	\$0.00	
SCORE funds received in CY 2010 (refer to appendix for amount)	\$145,412.00	
Grants - description:	\$0.00	
Household hazardous waste (HHW) funding from MPCA	\$0.00	
HHW funding from regional program sponsor	\$14,130.00	
Material sales	\$2,280.00	
Other - description: Christmas Tree Recycling	\$600.00	
	<b>Subtotal A2</b>	<b>\$412,422.00</b>
	<b>Total A</b>	<b>\$412,422.00</b>

##### B. Expenditures

###### 1. SCORE planning, oversight and administration

Consultant costs	\$0.00	
County Staff salary (should match FTE's listed on page 1)	\$0.00	
Office equipment & supplies (computers, etc.)	\$0.00	
Training, seminars and conferences	\$0.00	
Other - description: n/a	\$189,356.62	
	<b>Subtotal B1</b>	<b>\$189,356.62</b>

###### 2. Recycling

Direct capital expenditures	\$0.00
Direct operating expenditures:	
County-contracted private services	
Residential curbside collection	\$0.00
Recycling centers and/or recycling stations	\$0.00
Commercial/industrial collection	\$0.00
Processing	\$0.00
Subsidy to private operators	\$0.00
County-operated services	\$0.00

Other - description: n/a	\$127,497.77	
	<b>Subtotal B2</b>	<b>\$127,497.77</b>
<b>3. Yard Waste</b>		
Direct capital expenditures	\$0.00	
Direct operating expenditures-county contracted private services:		
Curbside collection & processing	\$0.00	
Drop-off site management & processing	\$0.00	
Subsidy to private operators	\$0.00	
County-operated services	\$0.00	
Other - description: n/a	\$49,518.90	
	<b>Subtotal B3</b>	<b>\$49,518.90</b>
<b>4. Household Hazardous Waste (HHW) &amp; Problem Material Management</b>		
Direct capital expenditures	\$0.00	
Operating Expenditures	\$0.00	
Transportation and Disposal	\$0.00	
Major appliance management	\$0.00	
Electronic appliance management	\$0.00	
Used oil management	\$0.00	
Household battery management	\$0.00	
Household fluorescent tube & HID lamp management	\$0.00	
Pass-through grants to counties in regional HHW program	\$0.00	
Other - description: n/a	\$29,802.52	
	<b>Subtotal B4</b>	<b>\$29,802.52</b>
<b>5. Source Reduction</b>		
Technical assistance to businesses	\$0.00	
Capital investment	\$0.00	
Other - description:	\$0.00	
	<b>Subtotal B5</b>	<b>\$0.00</b>
<b>6. Education</b>		
Source Reduction	\$0.00	
Recycling	\$0.00	
Yard Waste	\$0.00	
HHW & Problem Materials	\$0.00	
General public education	\$0.00	
Grants to schools	\$0.00	
Other - description: n/a	\$23,333.52	
	<b>Subtotal B6</b>	<b>\$23,333.52</b>
<b>7. Market Development</b>		
Description 1:	\$0.00	
Description 2:	\$0.00	
	<b>Subtotal B7</b>	<b>\$0.00</b>
<b>8. Litter Prevention</b>		
Description	\$0.00	
	<b>Subtotal B8</b>	<b>\$0.00</b>
<b>9. County Grants to Other Local Units of Government</b>		
SCORE planning, oversight and administration	\$0.00	
Recycling direct capital expenditures	\$0.00	
Recycling operating expenditures	\$0.00	
Yard waste direct capital expenditures	\$0.00	
Yard waste operating expenditures	\$0.00	
HHW and problem materials management	\$0.00	
Source reduction, education, market development and misc.	\$0.00	
Other - description:	\$0.00	
	<b>Subtotal B9</b>	<b>\$0.00</b>

**C. Balance**

Total CY 2010 revenues	Total A:	\$412,422.00
Total CY 2010 expenditures	Total B:	\$419,509.33
Balance carried-over to CY 2011	Total C:	(\$7,087.33)

**Summary - Recycling**

	Residential	Documented CII	Estimated CII	M/H Separated	Total
<b>Paper</b>					
Corrugated	76.22	1,913.92	3,000.00	944.52	5,934.66
Mixed paper	410.63	2.43		119.38	532.44
Newsprint	706.00	12.00	680.00		1,398.00
Office paper	9.67	5.54		50.72	65.93
<b>SubTotal:</b>	<b>1,202.52</b>	<b>1,933.89</b>	<b>3,680.00</b>	<b>1,114.62</b>	<b>7,931.03</b>
<b>Metal</b>					
Aluminum	887.00	6.16	48.00	101.94	1,043.10
Other ferrous & non-ferrous	67.72	2.35	12.00	286.77	368.84
Steel/tin cans	425.68			261.53	687.21
<b>SubTotal:</b>	<b>1,380.40</b>	<b>8.51</b>	<b>60.00</b>	<b>650.24</b>	<b>2,099.15</b>
<b>Glass</b>					
Food & beverage	<del>2,053.80</del> 1066.32			130.09	<del>2,183.89</del> 1196.41
<b>SubTotal:</b>	<del>2,053.80</del> 1066.32			<b>130.09</b>	<del>2,183.89</del> 1196.41
<b>Plastic</b>					
Film plastic	16.00	41.74			57.74
HDPE		9.25			9.25
Mixed plastic	150.13		195.00	31.38	376.51
Other plastic		42.63			42.63
PET		1.98			1.98
<b>SubTotal:</b>	<b>166.13</b>	<b>95.60</b>	<b>195.00</b>	<b>31.38</b>	<b>488.11</b>
<b>Organic</b>					
Source-separated organics		52.65			52.65
<b>SubTotal:</b>		<b>52.65</b>			<b>52.65</b>
<b>Banned</b>					
Major appliances	283.50				283.50
Used oil filters	22.10				22.10
Vehicle batteries	290.10				290.10
Waste tires	94.50				94.50
Antifreeze			22.00		22.00
Electronics	114.00	278.00	71.00		463.00
Fluorescent & HID lamps	4.50	10.76	4.00		19.26
HHW	6.00				6.00
Latex paint	14.00				14.00
<b>SubTotal:</b>	<b>828.70</b>	<b>288.76</b>	<b>97.00</b>		<b>1,214.46</b>
<b>Other</b>					
Pallets		10.50	22.00		32.50
<b>SubTotal:</b>		<b>10.50</b>	<b>22.00</b>		<b>32.50</b>
<b>Textiles</b>					
Carpet	120.00				120.00
Textiles	300.00				300.00
<b>SubTotal:</b>	<b>420.00</b>				<b>420.00</b>
<b>Grand Total:</b>	<del>6,051.55</del> 5,064.07	<b>2,389.91</b>	<b>4,054.00</b>	<b>1,926.33</b>	<del>44,421.79</del> 13,434.31

**On-site disposal of uncollected MSW**

Estimated county population without MSW collection service that doesn't self-haul: 1200 persons.

Estimated MSW managed on-site (based on above population): 504 tons per year.

**Managed MSW**

Estimate the percent of MSW generated by the C/I sector: 29 %

**Summary of MSW Tons****Alexandria Rubbish Service (SW-320)**

Gwinner LF (WMI), ND

	<b>Tons</b>
	2,136.60
<b>Total</b>	<b>2,136.60</b>

**Direct Haul to Destination Facilities**

Pope-Douglas Incinerator

	<b>Tons</b>
	22,030.30
<b>Total</b>	<b>22,030.30</b>

**Summary**

	<b>Tons</b>
<b>Transfer Station Total</b>	<b>2,136.60</b>
<b>Direct-Haul Total</b>	<b>22,030.30</b>
<b>Total</b>	<b>24,166.90</b>

## **Appendix H**

### **AIR EMISSION COMPLIANCE TEST RESULTS 2007-2011**

**Pope/Douglas Solid Waste Management**  
**Air Emission Compliance Test Results**  
*(all concentration results corrected to 7% O<sub>2</sub>)*

Pollutant	2009		Limit
	Unit 1	Unit 2	
PM: Dry Catch Only (mg/dscm)	*	*	70
PM: Dry + Organic Wet (gr/dscf)	*	*	0.08
Opacity (%)	*	*	10
Total Dioxin/Furan (ng/dscm)	*	*	125
Cadmium (mg/dscm)	*	*	0.10
Lead (mg/dscm)	*	*	1.6
Hydrogen Chloride ppmvd)	*	220.35	250
Fugitive Ash (min:sec)	*	*	<5% of hourly observation
Mercury (Federal, mg/dscm)	*	*	0.08
Mercury (State short term ug/dscm)	*	*	100
(State Long term ug/dscm)	*	*	60

Pollutant	2010		Limit
	Unit 1	Unit 2	
PM: Dry Catch Only (mg/dscm)	17.88	17.07	70
PM: Dry + Organic Wet (gr/dscf)	0.008	0.008	0.020 New Limit
Opacity (%)	0	0	10
Total Dioxin/Furan (ng/dscm)	*	2.90	125
Cadmium (mg/dscm)	0.0009	0.0009	0.10
Lead (mg/dscm)	0.0085	0.009	1.6
Hydrogen Chloride ppmvd)	61.12	17.3	250
Fugitive Ash (min:sec)	0	0	<5% of hourly observation
Mercury (Federal, mg/dscm)	*	*	0.08
Mercury (State short term ug/dscm)	*	*	100
(State Long term ug/dscm)	*	*	60

Pollutant	2011		Limit
	Unit 1	Unit 2	
PM: Dry Catch Only (mg/dscm)	17.25	*	70
PM: Dry + Organic Wet (gr/dscf)	0.0081	*	0.020
Opacity (%)	*	*	10
Total Dioxin/Furan (ng/dscm)	7.63	*	125
Cadmium (mg/dscm)	*	*	0.10
Lead (mg/dscm)	*	*	1.6
Hydrogen Chloride ppmvd)	28.26	*	250
Fugitive Ash (min:sec)	*	*	<5% of hourly observation
Mercury (Federal, mg/dscm)	0.0015	0.0016	0.08
Mercury (State short term ug/dscm)	1.54	1.59	100
(State Long term ug/dscm)	1.54	1.59	60

**Pope/Douglas Solid Waste Management  
Air Emission Compliance Test Results**  
(all concentration results corrected to 7% O<sub>2</sub>)

Pollutant	2007		Limit
	Unit 1	Unit 2	
PM: Dry Catch only (mg/dscm)	8.55	6.31	70
PM: Dry + Organic Wet (gr/dscf)	0.0053	0.00455	0.08
Opacity (%)	0	0	10
Total Dioxin/Furan (ng/dscm)	1.333	2.959	125
Cadmium (mg/dscm)	0.00024	0.00024	0.10
Lead (mg/dscm)	0.0014	0.00116	1.6
Hydrogen Chloride (ppmvd)	181.19	244.4	250
Fugitive Ash (min:sec)	0:0	0:0	<5% of hourly observation

Pollutant	2008		Limit
	Unit 1	Unit 2	
PM: Dry Catch Only (mg/dscm)	*	*	70
PM: Dry Organic Wet (gr/dscf)	*	*	0.08
Opacity (%)	*	*	10
Total Dioxin/Furan (ng/dscm)	4.78	*	125
Cadmium (mg/dscm)	*	*	0.10
Lead (mg/dscm)	*	*	1.6
Hydrogen Chloride (ppmvd)	212.4	386	250
Hydrogen Chloride (ppmvd) Retest	*	44	250
Fugitive Ash (min & sec)	*	*	<5% hourly observation
Mercury (Federal, mg/dscm)	0.002	0.00078	0.08
Mercury (State short term ug/dscm)	2.02	.78	100
(State Long term ug/dscm)	2.02	.78	60

\*= Not tested due to relaxed test schedule

## **Appendix I**

### **ASH TEST RESULTS for Combined and Fly Ash 200-2011**

**Pope/Douglas Solid Waste Management  
Fly Ash Annual Test Results Statistical Summary**

SWDI  
12-Dec-11

**Annual Total Composition Testing Parameters for FLY Ash**

Test Data in Accordance with Minn. Rules Part 7035.2910 Subp. 4 (A)(1) & (2) as amended by the 1996 MSW Combustor Ash Testing Variance

Test Parameter	2000 (mg/kg)	2001 (mg/kg)	2002 (mg/kg)	2003 (mg/kg)	2004 (mg/kg)	2005 (mg/kg)	2006 (mg/kg)	2007 (mg/kg)	2008 (mg/kg)	2009 (mg/kg)	2010 (mg/kg)	2011 (mg/kg)	Maximum (mg/kg)	Minimum (mg/kg)	Std. Dev. (mg/kg)	Average (mg/kg)
Aluminum	39,800	39,000	38,000	35,850	29,633	35,700	17,050	28,650	20,100	24,350	20,850	19,050	39,800	17,050	8,160	29,003
Arsenic	105	95.0	90.0	100	88.6	51.7	38.1	28.6	63.6	47.5	43.5	46.5	105	28.6	26	66.5
Barium	509	675	700	629	831	361	269	459	635	591	504	475	831	269	148	553
Boron	760	750	630	616	494	388	307	339	478	454	336	361	760	307	154	493
Cadmium	308	330	275	202	151	151	130	144	227	225	248	274	330	130	65	222
Calcium	96,550	98,000	175,000	161,000	212,333	325,500	300,000	295,500	150,850	276,000	287,000	338,000	338,000	96,550	84,050	226,311
Chloride	70,050	58,000	85,000	86,800	130,000	164,000	170,500	158,500	172,500	136,000	143,000	75,150	172,500	58,000	41,110	120,792
Chromium	86.9	99.0	115	122	76.9	59.5	42.8	65.6	68.3	85.1	84.9	70.6	122	42.8	22	81.4
Copper	881	1,150	800	1,430	773	616	543	578	690	695	821	589	1,430	543	249	797
Iron	11,600	5,600	7,800	7,975	8,377	7,425	3,760	4,060	4,320	5,625	3,710	5,740	11,600	3,710	2,274	6,333
Lead	3,100	3,200	2,900	2,820	2,907	3,175	1,180	984	1,620	1,420	1,460	1,370	3,200	984	858	2,178
Magnesium	9,620	9,400	9,750	9,570	6,627	6,675	5,855	5,990	8,235	11,750	9,030	10,050	11,750	5,855	1,793	8,538
Manganese	554	540	510	485	306	220	174	191	259	285	292	289	554	174	134	342
Mercury	5.9	7.9	35.5	47.2	24.5	20.1	17.6	11.0	33.2	16.4	9.8	8.2	47.2	5.9	12.5	19.8
Nickel	34.5	36.0	45.0	52.1	38.1	51.3	26.7	33.4	27.7	28.8	31.9	28.6	52.1	26.7	8.5	36.2
Selenium	19.3	20.0	5.5	14.5	5.5	8.6	0.7	0.4	3.5	2.4	0.6	3.4	20.0	0.4	6.8	7.0
Silver	2.8	2.0	14.0	19.8	18.7	12.9	10.5	11.3	13.6	13.5	11.8	10.2	19.8	2.0	5.0	11.8
Sodium	43,800	53,000	43,500	38,450	36,900	46,200	27,800	27,800	32,750	34,100	28,950	27,300	53,000	27,300	8,088	36,713
Strontium	171	170	220	200	200	266	263	269	261	297	275	491	491	170	82	257
Sulfate	47,100	41,000	41,000	31,700	23,867	21,450	12,400	12,900	15,100	11,050	8,230	121	47,100	121	14,319	22,160
Tin	416	159	435	317	258	169	158	70.4	277	232	257	226	435	70.4	101	248
Zinc	13,250	10,500	11,000	9,435	8,900	8,850	5,610	6,730	6,705	6,690	5,775	6,455	13,250	5,610	2,295	8,325

**Annual Physical Characteristics Testing Parameters for FLY Ash**

Test Data in Accordance with Minn. Rules Part 7035.2910 Subp. 4 (C)(1) & (2) as amended by the 1996 MSW Combustor Ash Testing Variance

Test Parameter	2000 (%)	2001 (%)	2002 (%)	2003 (%)	2004 (%)	2005 (%)	2006 (%)	2007 (%)	2008 (%)	2009 (%)	2010 (%)	2011 (%)	Maximum (%)	Minimum (%)	Std. Dev. (%)	Average (%)
% Moisture	0.3	0.3	0.7	0.9	1.5	1.7	1.2	1.0	1.8	0.7	2.9	1.6	2.9	0.3	0.7	1.2
% Combustible	1.0	2.9	6.9	5.0	7.4	8.3	9.4	8.6	9.7	8.8	8.5	10.0	10.0	1.0	2.7	7.2

**Annual Total Composition Testing (Dioxins & Furans) Parameters for FLY Ash**

Test Data in Accordance with Minn. Rules Part 7035.2910 Subp. 4 (A)(3) as amended by the 1996 MSW Combustor Ash Testing Variance

May Discontinue if Historically > 1 ppb

Test Parameter	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Maximum (ng/kg)	Minimum (ng/kg)	Std. Dev. (ng/kg)	Average (ng/kg)
Dioxins (Total)	Discontinued															
Furans (Total)	Discontinued															
Total 2,3,7,8-TCDD Equivls	Discontinued															

**Pope/Douglas Solid Waste Management  
Combined Ash Annual Test Results Statistical Summary**

SWDI  
12-Dec-11

**Annual Total Composition Testing Parameters for COMBINED Ash**

Test Data in Accordance with Minn. Rules Part 7035.2910 Subp. 4 (A)(1) & (2) as amended by the 1996 MSW Combustor Ash Testing Variance

Test Parameter	2000 (mg/kg)	2001 (mg/kg)	2002 (mg/kg)	2003 (mg/kg)	2004 (mg/kg)	2005 (mg/kg)	2006 (mg/kg)	2007 (mg/kg)	2008 (mg/kg)	2009 (mg/kg)	2010 (mg/kg)	2011 (mg/kg)	Maximum (mg/kg)	Minimum (mg/kg)	Std. Dev. (mg/kg)	Average (mg/kg)
Aluminum	47,033	35,500	54,000	38,783	52,117	66,950	38,667	70,583	50,467	51,633	47,433	44,117	70,583	35,500	10,199	49,774
Arsenic	24.3	7.9	28.0	14.0	30.7	14.8	6.4	9.8	24.3	21.1	22.5	19.0	30.7	6.4	7.6	18.6
Barium	469	505	698	385	745	690	599	784	1,312	1,014	1,108	1,030	1,312	385	272	778
Boron	702	610	663	437	473	522	428	529	876	802	613	544	876	428	135	600
Cadmium	31.0	40.0	37.0	23.5	31.1	27.2	30.3	32.3	54.3	67.3	66.7	38.0	67.3	23.5	14.2	39.9
Calcium	70,317	66,833	87,667	59,167	114,467	119,333	129,083	116,683	132,000	145,500	128,667	117,333	145,500	59,167	27,527	107,254
Chloride	12,067	8,167	11,000	9,080	22,767	27,850	35,167	29,317	31,017	20,950	17,117	10,348	35,167	8,167	9,178	19,571
Chromium	71.6	42.0	73.0	57.6	74.8	56.2	75.4	898	101	103	101	110	898	42.0	227	147
Copper	1,129	573	1,063	3,378	1,767	1,405	3,138	2,075	1,332	14,146	26,280	8,750	26,280	573	7,360	5,420
Iron	21,633	12,117	25,167	9,777	19,217	32,600	22,783	19,555	20,700	22,483	25,400	26,000	32,600	9,777	5,844	21,453
Lead	1,253	502	583	614	808	624	2,072	440	802	1,044	823	731	2,072	440	426	858
Magnesium	6,887	6,400	7,483	5,238	9,677	6,692	6,657	6,057	7,913	10,548	8,190	13,138	13,138	5,238	2,134	7,907
Manganese	564	393	708	404	619	401	360	1,991	505	561	560	861	1,991	360	425	661
Mercury	0.5	1.9	3.2	3.7	3.9	1.9	3.3	2.6	3.6	4.9	1.7	2.3	4.9	0.5	1.1	2.8
Nickel	41.6	37.0	50.0	50.0	53.6	71.5	69.7	69.9	137	75.6	107	158	158.0	37.0	36.6	76.8
Selenium	0.5	29.0	1.0	3.4	16.2	2.9	0.9	0.4	4.3	3.3	0.9	4.2	29.0	0.4	8.2	5.6
Silver	1.2	3.0	3.2	4.5	11.6	4.0	3.6	5.0	6.2	6.6	6.1	4.3	11.6	1.2	2.5	4.9
Sodium	15,333	15,167	16,167	10,220	16,767	18,183	17,367	13,817	19,950	22,167	16,283	15,117	22,167	10,220	2,877	16,378
Strontium	160	132	153	157	182	198	261	266	382	290	256	515	515	132	107	246
Sulfate	3,453	8,483	1,867	480	430	244	72.0	49.2	31.0	54.2	90.5	156.0	8,483	31.0	2,382	1,284
Tin	116	43.0	130	77.0	103	84.9	90.9	73.9	129	138	125	93.7	138	43.0	27	100.3
Zinc	3,685	4,217	2,933	1,848	2,818	2,428	8,828	4,387	6,085	3,493	2,878	8,368	8,828	1,848	2,177	4,331

**Annual Physical Characteristics Testing Parameters for COMBINED Ash**

Test Data in Accordance with Minn. Rules Part 7035.2910 Subp. 4 (C)(1) & (2) as amended by the 1996 MSW Combustor Ash Testing Variance

Test Parameter	2000 (%)	2001 (%)	2002 (%)	2003 (%)	2004 (%)	2005 (%)	2006 (%)	2007 (%)	2008 (%)	2009 (%)	2010 (%)	2011 (%)	Maximum (%)	Minimum (%)	Std. Dev. (%)	Average (%)
% Moisture	28.8	25.8	21.5	26.5	25.9	30.5	26.1	23.0	26.1	26.2	34.0	30.4	34.0	21.5	3.3	27.1
% Combustible	9.4	10.9	12.0	6.1	7.3	3.9	10.4	5.4	9.9	8.1	6.5	6.5	12.0	3.9	2.4	8.0

**Annual Total Composition Testing (Dioxins & Furans) Parameters for COMBINED Ash**

Test Data in Accordance with Minn. Rules Part 7035.2910 Subp. 4 (A)(3) as amended by the 1996 MSW Combustor Ash Testing Variance

May Discontinue if Historically > 1 ppb

Test Parameter	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Maximum (ng/kg)	Minimum (ng/kg)	Std. Dev. (ng/kg)	Average (ng/kg)
Dioxins (Total)	Discontinued															
Furans (Total)	Discontinued															
Total 2,3,7,8-TCDD Equivs	Discontinued															

## **Appendix J**

### **INSPECTION AND MONITORING RESULTS 2007-2011**



# Minnesota Pollution Control Agency

Brainerd Office

July 7, 2010

Mr. Peter Olmscheid, Executive Director  
Pope/Douglas Joint Solid Waste Management Board  
2115 South Jefferson  
Alexandria, MN 56308

RE: March 18, 2010, Air Quality Compliance Inspection

Dear Mr. Olmscheid:

On March 18, 2010, the Minnesota Pollution Control Agency (MPCA) staff conducted a routine air quality inspection of Pope/Douglas Joint Solid Waste Management located in Alexandria, Minnesota. No violations of applicable Minnesota air quality rules were observed at the facilities during the inspection, based on the review of information and the inspection of specific operations.

If you have any questions concerning the inspection, please contact me at 218-316-3876.

Sincerely,

A handwritten signature in blue ink that reads "David M. Couell".

Handwritten initials "RLS" in blue ink, positioned to the left of the typed name.

Rachel L. Studanski  
Pollution Control Specialist  
Compliance and Enforcement Section  
Industrial Division

RLS:blm

cc: AQ Enforcement File No. 2097



# Minnesota Pollution Control Agency

Brainerd Office

December 22, 2008

Mr. Pete Olmschied  
Executive Director  
Pope/Douglas Solid Waste Management  
2115 South Jefferson  
Alexandria, MN 56308

RE: September 25, 2008, Compliance Inspection at Pope/Douglas Solid Waste Management in  
Alexandria, Minnesota

Dear Mr. Olmschied:

On September 25, 2008, Minnesota Pollution Control Agency (MPCA) staff conducted an air quality compliance inspection at Pope/Douglas Solid Waste Management in Alexandria, Minnesota.

At the time of the inspection, MPCA staff did not identify any violations through the course of physical inspection of emission units and pollution control equipment or review of on-site records.

If you have any questions concerning the inspection, please contact me at 218-825-2120.

Sincerely,

A handwritten signature in cursive script that reads "Rachel L. Peters".

Rachel L. Peters  
Pollution Control Specialist  
Compliance and Enforcement Section  
Industrial Division

RP:dlp

cc: AQD File No. 2097



## Minnesota Pollution Control Agency

Detroit Lakes Office | 714 Lake Avenue | Suite 220 | Detroit Lakes, MN 56501 | 218-847-1519

800-657-3864 | 651-282-5332 TTY | [www.pca.state.mn.us](http://www.pca.state.mn.us) | Equal Opportunity Employer

September 23, 2011

Mr. Peter Olmscheid, Director  
Pope/Douglas Solid Waste Management Board  
2115 Jefferson Street  
Alexandria, MN 56308

RE: Facility Inspection Report

Dear Pete:

I have enclosed a copy of the inspection report for an inspection that I conducted at the Pope/Douglas Municipal Combustor Ash Landfill Facility on September 20, 2011. As the report indicates, I did not find any violations during my inspection of the facility. However, as we discussed after the inspection, you will have to make sure that there is a path to the drainage layer when you construct the next cell so that you don't have the leachate ponding on the surface as it is currently doing.

I would also like to take a little time to discuss a matter that is near and dear to your heart -the next permit re-issuance. The landfill's permit expires on September 10, 2015, so you have plenty of time to prepare. However, a couple of things to keep in mind for getting that permit reissued in 2015 are the new statutory requirements to get permits out the door faster, and the reductions in permitting staff for the solid waste unit. This means that the permit applications must arrive at least 180 days prior to the expiration date, and that each permit application will have to be a stand-alone document. The permitting staff will not have the luxury of being able to review submittal documents that were submitted two or three permitting cycles ago. Everything that is pertinent to the new permit application must be included in a complete, comprehensive package.

If you have any questions or comments concerning this inspection, please call me at 218-846-8109.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Rolf", written over a large, stylized graphic element.

Roger Rolf  
Pollution Control Specialist Senior  
Policy, Local Government Assistance and Solid Waste Section  
Municipal Division

RR:gd

Enclosure

Cc: David Rush, Douglas County Land and Resources



# Minnesota Pollution Control Agency

Detroit Lakes Office

March 26, 2010

Mr. Peter Olmscheid, Director  
Pope/Douglas Solid Waste Management Board  
2115 Jefferson Street  
Alexandria, MN 56308

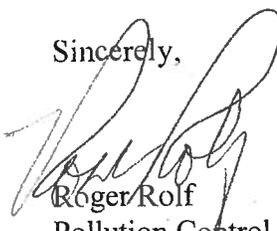
RE: Facility Inspection Report

Dear Pete:

I have enclosed a copy of the inspection report for an inspection that I conducted at the Pope/Douglas Municipal Combustor Ash Landfill Facility on March 18, 2010. As the report indicates, I did not find any violations during my inspection of the facility.

If you have any questions or comments concerning this inspection, please call me at 218-846-8109.

Sincerely,



Roger Rolf  
Pollution Control Specialist Senior  
Policy, Local Government Assistance and Solid Waste Section  
Municipal Division

RR:blm

Enclosure



# Minnesota Pollution Control Agency

Detroit Lakes Office

November 1, 2010

Mr. Peter Olmscheid, Director  
Pope/Douglas Solid Waste Management Board  
2115 Jefferson Street  
Alexandria, MN 56308

RE: Facility Inspection Report

Dear Pete:

I have enclosed a copy of the inspection report for an inspection that I conducted at the Pope/Douglas Municipal Combustor Ash Landfill Facility on October 1, 2010. As the report indicates, I did not find any violations during my inspection of the facility.

If you have any questions or comments concerning this inspection, please call me at 218-846-8109.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Rolf", written over a circular stamp.

Roger Rolf  
Pollution Control Specialist Senior  
Policy, Local Government Assistance and Solid Waste Section  
Municipal Division

RR:blm

Enclosure

cc: David Rush, Douglas County Land and Resource Management



# Minnesota Pollution Control Agency

Detroit Lakes Office

June 17, 2009

Mr. Peter Olmscheid, Director  
Pope/Douglas Solid Waste Management Board  
2115 Jefferson Street  
Alexandria, MN 56308

RE: Facility Inspection Report

Dear Pete:

I have enclosed a copy of the inspection report for an inspection that I conducted at the Pope/Douglas Municipal Combustor Ash Landfill Facility on May 21, 2009. As the report indicates, I did not find any violations during my inspection of the facility.

If you have any questions or comments concerning this inspection, please call me at 218-846-8109.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Rolf", written over the word "Sincerely,".

Roger Rolf  
Pollution Control Specialist Senior  
Policy, Local Government Assistance and Solid Waste Section  
Municipal Division

RR:blm

Enclosure

cc: David Rush, Land and Resource Management, Douglas County w/enclosure

**Appendix K**

**DOUGLAS COUNTY SOLID WASTE DESIGNATION DRAFT  
ORDINANCE**

## APPENDIX H

### (DRAFT) ORDINANCE <>

#### Douglas County COLLECTION AND DISPOSAL ORDINANCE

#### 1. STATUTORY AUTHORIZATION, TITLE, PURPOSE AND INTENT

1.1 **Statutory Authorization:** This ordinance is adopted pursuant to Minnesota Statutes, Section 17.135; Minnesota Statutes, Chapter 115A; Minnesota Statutes, Sections 145A.01 through 145A.05; Minnesota Statutes, Sections 375.18 and 375.51; and Minnesota Statutes, Chapter 400; or successor statutes.

1.2 **Short Title.** This ordinance shall be known and may be cited as the Douglas County Solid Waste Collection Ordinance.

1.3 **Purpose.** The purpose of this ordinance is to establish regional solid waste collection districts within the County and to determine the method of collection applicable to each district. This ordinance also provides a mechanism under which the County Board may from time to time change district boundaries or change the method of collection in a district.

1.4 **Intent.** It is the intent of the County Board of Commissioners to provide for the collection and transportation of all solid waste generated in or existing within Douglas County, Minnesota in order to ensure that the health, safety and welfare of Douglas County residents are protected.

2. **DEFINITIONS.** The definitions contained in Douglas County Ordinance <> (Ordinance Establishing Public Solid Waste Services) apply to this ordinance. The following additional definitions apply.

2.1 **Additional Residential Services** means services provided to residential properties at the option of the property owner in return for additional user charges.

2.2 **Basic Residential Services** means the minimum level services provided to all residences within a Solid Waste District.

2.3 **Dwelling** means a building or portion thereof, designed or used exclusively for residential occupancy, including one family, two family, multiple family dwelling units, mobile homes, agricultural dwellings, apartments and seasonable recreational properties, but not including hotels and motels.

2.4 **Dwelling Unit** means one or more rooms in a dwelling designed for occupancy by one family for living purposes and having its own permanently installed cooking and sanitary

facilities. Additionally, each five officially registered sleeping rooms or a part thereof in a lodging house shall constitute a dwelling unit.

**2.5 Residential Service** means collection and disposal service provided to dwellings with three or less dwelling units and townhouses.

**3. Solid Waste Districts Established.** The County Board may by ordinance establish solid waste districts. The County Board may by resolution later alter the boundaries of a solid waste district, abolish a district, or create additional districts after affording the public an opportunity for comment. The following solid waste districts are hereby established: <State District names, numbers and geographic boundaries.>

**3.1 Resolution Determining Method of Collection and Conveyance.** The County Board may by resolution establish the mechanism for collection and conveyance of covered waste for each solid waste district. The County may select any of the service options described in the Douglas County Public Waste Service Ordinance and may by resolution establish the fees applicable to that service.

**3.2 Different Service Options may Apply to Different Waste Categories.** The County may determine that different categories of waste will be collected using different methods of collection in the same district.

**3.3 Factors involved in determination.** In deciding which service option should be used in a district, the County Board may consider any factors affecting the public interest, including environmental and public health factors and the expressed preferences of citizens and political subdivisions of the district. The County Board may also consider whether the selection provides the most economical conveyance and best service.

**3.4 District Boundaries.** When an entire municipality is included in a single district, a change in the municipality's borders will result in a corresponding change in district borders.

**4. County Direct Service District.** The County may determine that residential or non-residential collection and conveyance services, or both, will be provided directly by County employees with County equipment.

**5. Selected Hauler Service District.** The County may determine that County residential or non-residential collection and conveyance services, or both, will be provided to the County by one or a limited number of, selected private haulers operating under contract with the County.

**5.1 Solicitation of hauler proposals.** In a Selected Hauler Service District the County Board will select one or more contract haulers to provide solid waste collection and conveyance services. The County may award contracts to selected haulers for periods of up to five years. As part of the process of selecting haulers, the County (or if delegated, the Director) will solicit

proposals for negotiated contracts from individual haulers. Upon receipt of proposals, the County (or if delegated, the Director) may accept one or more of these proposals, or may negotiate with one or more haulers to obtain new or different terms from those originally proposed by the haulers. The County (or if delegated, the Director) may negotiate with potential haulers on price and terms of service. The contract with any selected hauler may provide that the hauler will be the only selected hauler for one or more classes of service, or may provide that there will be a limited number of haulers for one or more classes of service. Any contract must be approved by the County Board, unless contract authority has been delegated, in which case it must be approved by the Pope/Douglas Solid Waste Management Board.

**5.2 Negotiated Reimbursement Rates.** The hauler contract may establish hauler reimbursement rates for residential and for non-residential services, or any class or type of residential or non-residential services. The County may elect to contract with different haulers for different types of services.

**5.2 Residential Service Reimbursement.** Hauler contracts may establish reimbursement rates for basic residential services. Hauler contracts may establish separate reimbursement rates for additional residential services.

**5.3 Designation of Customers and Routes.** Hauler contracts may provide that selected haulers will serve all of the customers within the district, or a selected route within the district, or particular classifications of customers within all or a portion of the district.

**5.4 Delegation of Contracting Authority to Joint Powers Board.** The County may, by resolution, delegate the authority to enter into hauler contracts to the Pope/Douglas Solid Waste Management Board. The delegation may contain limitations on duration or other terms of the contract. Unless otherwise limited, a delegation will authorize the Joint Powers Board to enter into contracts which cross County lines, but in that event, the Board shall maintain careful accounting practices which properly allocate the cost of service and fees to the appropriate County.

**6. Multiple Hauler Service District.** The County may designate any solid waste district as a Multiple Hauler District. In a Multiple Hauler District, the County will provide disposal and collection services under contract with any qualified hauler which agrees to enter into a contract specified by the County for a contract term specified by the County. County Customers within the District will have the right to choose which County contract hauler will provide service to that Customer.

**6.1 County May Limit Classification of Waste Served.** The County may determine that only certain classifications of property may be served by multiple haulers.

**6.2 Haulers May Serve any Customer.** Haulers operating under contract to serve that District will have the right to serve any property within the District, provided that, if the contract

is limited to a particular classification of waste, the hauler may collect only that classification of waste. The County may require minimum levels of service, but County contract haulers may offer differing types and qualities of service from those of other County contract haulers. Haulers may compete with other County contract haulers to determine who will serve individual properties.

**6.3 Rates Paid by County Customer.** The multiple hauler contract will provide that County Customers will pay user fees to haulers. Rates charged to county customers in multiple hauler service districts will be set by haulers, subject to any limitations which may be set in the Contract with the County. Contract haulers may offer differing charges and schedules of rates.

**6.4 Hauler Payments to County** The multiple hauler contract will provide that the hauler will pay the County for waste collected and conveyed to the point of delivery at rates set by the County.

**6.5 Procedure for Letting Contracts.** From time to time the County may establish the contents of contracts applicable to qualified haulers within a Multiple Hauler District. Contracts may be offered for up to five years in duration. The County may set contract terms for residential or non-residential service, or any classification of services.

**6.5.1 Solicitation for Proposals.** Prior to offering contracts, the County may solicit proposals for Multiple Hauler District contracts. The County may enter into negotiations with haulers to set the terms under which haulers will sign such contracts, and the negotiations may cover price, terms of service, and such other contract terms as the County may specify.

**6.5.2 Conversion to Selected Hauler District.** If the County determines that there is insufficient interest in entering into contracts on a multiple hauler basis, or the County Board determines that the public interest would otherwise be served, the County may by ordinance convert a Multiple Hauler District to a Selected Hauler District and sign contracts with individual haulers on terms authorized by section 3 of this ordinance.

**6.5.3 Delegation to Joint Powers Board.** The County may, by resolution, delegate the authority to enter into hauler contracts under this section to the Pope/Douglas Solid Waste Management Board. The delegation may contain limitations on duration or other terms of the contract. Unless otherwise limited, a delegation will authorize the Joint Powers Board to enter into contracts which cross County lines, but in that event, the Pope/Douglas Solid Waste Management Board shall maintain careful accounting practices which properly allocate the cost of service and fees to the appropriate County.

**7. Exempt District.** The County may provide that all waste collection within a District will be exempt from the operation of this ordinance, because waste collection within that District is being provided by a municipality or other political subdivision. The County may provide that residential waste, or any other classification of waste, within a District will be exempt from the

operation of this ordinance, because residential waste, or any other classification of waste, collection within that district is being provided by a municipality or other political subdivision. In the event that only a particular classification of waste is exempt, the district may be designated as a Selected Hauler, Multiple Hauler, Direct County Service, or Municipal Delegated Service District with respect to non-exempt waste.

8. **Municipal Contract Service District.** The County may provide that waste collection within a District will be conducted by a political subdivision, or group of political subdivisions acting together, under contract with the political subdivisions under this ordinance.

9. **Residential Service.** This section governs the terms of County provided Residential Service.

9.1 **Mandatory Residential Service.** The owner or occupant of every dwelling unit shall dispose of covered solid waste by County provided solid waste collection and disposal service.

9.1.1 **County may Promulgate Regulations.** The County may from time to time establish regulations governing the size and type of containers, requirements for maintenance of cans, limitation of materials and placement for collection applicable within one or more solid waste districts. The County may from time to time establish regulations providing that certain classes of property or waste shall be handled as non-residential waste, or shall be subject to special collection and disposal requirements.

9.1.2 **Recycling Regulations.** The County may from time to time establish regulations governing recycling.

9.2 **Minimum Required County Service.** The County may establish a minimum level of County provided service for residential properties for each district. The County may establish the amount and frequency of service which will be received by users within the district in return for the minimum residential service charge.

9.2.1 **Minimum Residential Service Charge.** The County may establish a minimum charge payable by residents in a Solid Waste District. The charge may vary within the district according to location, type of residence, or other relevant factors.

9.2.2 **Billing.** Any residential service charge payable to the County shall be billed <state period> and all such charges shall be due and payable at the office of the Douglas County Auditor-Treasurer.

9.2.3 **Hauler Collection of Residential Service Fees.** In any District where residential service is provided under contract with a private hauler, the County may contract with a private hauler for the billing and collection of the service fees due the County. In that event,

the private hauler shall collect the service fees due the County as agent for the County, and shall hold the fees so collected in trust for the County, to be paid over to the County according to the terms and conditions provided in the contract.

**9.2.4 Fees for Services Beyond Minimum Required Service.** For each District, the County may set residential service rates for the minimum level of residential service. The rates may be set for particular classes of residential service, such as rural, multiple dwellings, and single family residences, and may vary in accordance with the volume of solid waste collected.

**9.2.5 Collection of fees.** The County Board will by resolution establish the mechanism for solid waste fee collection for each Solid Waste District. In Districts where collection and disposal is provided by contract, the County may require the hauler to collect the fee on behalf of the County.

**10. Unpaid fees.** If an owner, lessee or occupant for any person obligated on their behalf to pay the service fee fails to pay the service fee in the manner prescribed, the County, for itself or on behalf of its contractors, may recover unpaid fees due under this ordinance in any manner authorized by laws, including, but not limited to the following:

**10.1 Certification to the County Auditor-Treasurer.** On or before October 15 of each year, the County Board may certify to the County Auditor-Treasurer all unpaid, outstanding service fees, and a description of the lands against which the service fees arose. It shall be the duty of the County Auditor-Treasurer, upon order of the County Board, to extend the assessments, with interest not to exceed the interest rate provided for in Minnesota Statutes Section 279.03, Subd. 1, or successor statutes, upon the tax roles of the County for the taxes of the year in which the assessment is filed. For each year ending October 15, the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real and/or personal property taxes in accordance with the provision of the laws of the State of Minnesota. The fees, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State of Minnesota.

**10.2 Civil Action.** In addition to each and every other remedy available to the County, unpaid service fees, penalties and interest may be recovered in a civil action in the name of the County.

**10.3 Recovery of Costs.** Douglas County may recover costs, including attorney fees, staff and other related costs, incurred to enforce compliance with the provisions of this ordinance.

**11. Enforcement.** The regulations contained in this section govern violations or threatened violations and provide mechanisms for the County to use in attaining compliance with this ordinance.

**11.1** Any person, firm or corporation who violates any of the provision of this ordinance or who fails, neglects or refuses to comply with the provisions of this ordinance, or who makes any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$700.00 or by imprisonment not to exceed 90 days, or both. Each day that a violation occurs shall constitute a separate offense.

**11.2** In the event of a violation or a threatened violation of this ordinance, the County Attorney may institute civil proceedings in the name of the County. The County Attorney may also authorize the Executive Director of the Pope/Douglas Solid Waste Management Board to institute a civil action. In addition to other remedies, the County or, if authorized by the County Attorney, the Waste Management board, may institute appropriate action or proceedings to prevent, prosecute, restrain or abate such violation or threatened violation.

**APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2002

**ATTEST:**  
\_\_\_\_\_



## **Appendix L**

# **SOLID WASTE ORDINANCES – POPE AND DOUGLAS COUNTIES**

**SOLID WASTE DISPOSAL ORDINANCE  
FOR DOUGLAS COUNTY MINNESOTA**

**TABLE OF CONTENTS**

SECTION I DEFINITIONS .....	1
SECTION II GENERAL PROVISIONS .....	4
SECTION III SOLID WASTE MANAGEMENT FACILITIES .....	8
SECTION IV SOLID WASTE STORAGE .....	14
SECTION V SOLID WASTE BURNING .....	15
SECTION VI SERVICE CHARGE .....	15
SECTION VII ENFORCEMENT AND INSPECTION AND ADMINISTRATION ..	16
SECTION VIII VIOLATIONS & PENALTIES .....	23
SECTION IX VARIANCES .....	24
SECTION X HAZARDOUS WASTE ORDINANCE .....	24
SECTION XI RESTRICTIVE READING .....	24
SECTION XII ADDITIONAL REQUIREMENTS .....	24
SECTION XIII SEPARABILITY .....	24
SECTION XIV PROVISIONS ARE CUMULATIVE .....	24
SECTION XV NO CONSENT .....	25
SECTION XVI CITY ORDINANCES .....	25
SECTION XVII EFFECTIVE DATE .....	25
SECTION XVIII REPEALER .....	25

## SOLID WASTE DISPOSAL ORDINANCE FOR DOUGLAS COUNTY MINNESOTA

An ordinance establishing standards for and regulating solid waste storage, transportation, collection, processing and disposal, and the operation of solid waste management facilities in Douglas County, Minnesota; requiring a license for the establishment and operation of solid waste management facilities; providing for license fees, performance bonds and penalties for lack of compliance with these provisions; promoting the health, welfare and safety of the public.

The County Board of Douglas County, Minnesota, does ordain:

**SECTION I DEFINITIONS** Words and phrases, when used in this ordinance shall have the following meanings, unless the context clearly indicates otherwise:

**Subsection 1.** "Collection", when referring to solid waste, means the aggregation of solid waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

**Subsection 2.** "County Board" is defined as the Douglas County Board of Commissioners.

**Subsection 3.** "County" means Douglas County, Minnesota.

**Subsection 4.** "Compost Facility" means a site used to compost or co-compost solid waste, including all structures or processing equipment used to control drainage, collect and treat leachate, and storage areas for the incoming waste, the final product, and residuals resulting from the composting process.

**Subsection 5.** "Demolition Debris" means solid waste resulting from the demolition of buildings, roads, and other structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos wastes.

**Subsection 6.** "Demolition Debris Land Disposal Facility" means a site used to dispose of demolition debris.

**Subsection 7.** "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of waste into or on any land or water.

**Subsection 8.** "Facility" means the land, structures, monitoring devices, and other improvements on the land used for monitoring, treating, processing, storing, or disposing of solid waste, leachate, or residuals from solid waste processing.

**Subsection 9.** "Garbage" is defined as discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

**Subsection 10.** "Hazardous Waste" means any refuse or discarded material or combination of refuse or discarded material in solid, semi-solid, liquid or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include but are not limited to: explosives, flammable, oxidizers, poisons, irritants and corrosives.

**Subsection 11.** "Industrial Solid Waste" means all solid waste generated from an industrial or manufacturing process and solid waste generated from nonmanufacturing activities such as service and commercial establishments. Industrial solid waste does not include office materials, restaurant and food preparation waste, discarded machinery, demolition debris, municipal solid waste combustor ash, or household refuse.

**Subsection 12.** "Industrial Solid Waste Land Disposal Facility" means a site used to dispose of industrial solid waste in or on the land.

**Subsection 13.** "Land Disposal Facility" means any tract or parcel of land, including any constructed facility, at which solid waste is disposed of in or on the land.

**Subsection 14.** "Licensee" is defined as the person who has been given authority by the County Board to establish, operate and maintain a solid waste management facility.

**Subsection 15.** "MPCA" means the Minnesota Pollution Control Agency, its agents or representatives.

**Subsection 16.** "Mixed Municipal Solid Waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, and other materials collected, processed, and disposed of as separate waste streams.

**Subsection 17.** "Mixed Municipal Solid Waste Land Disposal Facility" means a site used for the disposal of mixed municipal solid waste in or on the land.

**Subsection 18.** "Municipal Solid Waste Combustor Ash Land Disposal Facility" means a facility used to dispose of municipal solid waste combustor ash in or on the land.

**Subsection 19.** "Person" means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the County.

**Subsection 20.** "Pope/Douglas Joint Solid Waste Board" means the joint powers board created by Pope and Douglas Counties to own and operate an integrated solid waste management system in the Counties.

**Subsection 21.** "Processing", when referring to solid waste, means the treatment of solid waste after collection, and includes all activities after the time the waste is delivered to a waste facility. Processing includes but is not limited to disposal, storage, containment, separation, exchange, resource recovery, physical or chemical modification, and transfer from one waste facility to another.

**Subsection 22.** "Putrescible Material" is defined as solid waste which is capable of becoming rotten and which may reach a foul state of decay or decomposition.

**Subsection 23.** "Recycling Facility" means a site used to collect, process, and repair recyclable materials and reuse them in their original form or use them in manufacturing processes.

**Subsection 24.** "Recycling Materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling, including but not limited to paper, glass, plastics, metals, automobile oil, and batteries. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

**Subsection 25.** "Refuse" means putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, incinerator ash, incinerator residue, waste combustor ash, street cleanings, and market and industrial solid wastes, and including municipal treatment wastes which do not contain free moisture.

**Subsection 26.** "'Shoreland" is defined as land located within the following distances from the ordinary high water elevation of public waters: (a) land within 1,000 feet from the normal high watermark of a lake, pond, reservoir, impoundment or flowage; and (b) land within 300 feet of a river or stream or the landward side of flood plain delineated by ordinance on such a river or stream whichever is greater.

**Subsection 27.** "Solid Waste Combustor" means any stationary source, emissions unit, or emission facility where solid waste or refuse-derived fuel is combusted, and includes incinerators, energy recovery facilities, or other combustion devices.

**Subsection 28.** "Solid Waste Land Disposal Facility" means a facility used to dispose of solid waste in or on the land.

**Subsection 29.** "Solid Waste Management Facility" means a facility for the storage, collection, transportation, processing or reuse, conversion or disposal of solid waste, including solid waste land disposal, compost, recycling and transfer facilities.

**Subsection 30.** "Solid Waste Storage" means the holding of solid waste for more than 48 hours in quantities equal to or greater than ten cubic yards.

**Subsection 31.** "Solid Waste Transportation" means the conveying of solid waste from one place to another, by means of vehicle, rail car, water vessel, conveyor, or other means.

**Subsection 32.** "Transfer Facility" means a facility in which solid waste from collection vehicles is compacted or rearranged for subsequent transport. A transfer facility may be fixed or mobile.

**Subsection 33.** "Used Tires" means any tires that are not new.

## **SECTION II GENERAL PROVISIONS**

**Subsection 1. License Requirements.** A person shall be in violation of this ordinance if they allow property, equipment, or land under their control in the County to be used for intermediate or final storage, collection, transportation, processing or reuse, conversion or disposal of any solid waste unless a solid waste management facility license for such purpose has been granted by the County Board and unless otherwise provided by this ordinance. It is a violation of this ordinance for any person to dispose, process, store, collect, transport or conversion any solid waste on any property in the County unless such property has been granted a solid waste management facility license unless otherwise provided by this ordinance.

**Subsection 2. License Application and Collection, Processing, Transportation, Reuse or Conversion Fees.** Any site or facility in the County to be used for any method of storage, collection, transportation, processing or reuse, conversion or disposal of solid waste identified in this ordinance and those not specifically provided for in this ordinance must obtain a solid waste management facility license from the County Board and, if applicable, a permit from the MPCA before beginning operations. The license application shall include two sets of complete plans, specifications, design

data, ultimate land use plan if applicable, proposed operating procedures and such other information as may be required by the County Board, all as prepared by a registered professional engineer of Minnesota. The license application shall also include a copy of the permit application and plans and specifications submitted to the MPCA and required for MPCA approval. An application fee, license fee and other required fees shall accompany the application in an amount to be determined by the County Board. The applicant shall obtain and provide with the application a proper zoning permit as required by applicable County zoning ordinances.

**Subsection 3. Issuance or Denial of License.** After receiving a complete application for a license to operate a solid waste management facility, the County Board shall have 90 days to either grant or deny the license application. A license may be granted which is contingent upon compliance with special conditions specified in the license. Such conditions, if any, shall be designed to promote the health, welfare and safety of the public. Licenses issued to partnerships and corporations shall be issued in the name of the corporation or partnership and to the authorized officer of such corporation or partnership. If an applicant is not granted a license, they shall be notified in writing of the reasons for the denial by the County Board. A denial shall be without prejudice to the applicant's right to appear before the County Board or for filing an amended application after revisions are made to meet the concerns specified as reasons for the denial.

**Subsection 4. Bonds and Insurance.** Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant furnishing to the County a bond in an amount to be set by the County Board and naming the County as obligee with sureties duly licensed and authorized to transact corporate surety business in the State of Minnesota as sureties. The condition of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this ordinance in the operation of the solid waste management facility, or if, for any reason, ceases to operate or abandons the solid waste management facility, and the County is required to expend any monies or expend any labor or material to restore the facility to the condition and requirements as provided by the ordinance, the obligor and the sureties on its bond shall reimburse the County for any and all expenses incurred to remedy the failure of the principal to comply with the terms of the ordinance, and the obligor and its sureties will indemnify and save the County harmless from all losses, costs and charges that the County may occur because of any default of the obligor under the terms of their license to operate in compliance with the ordinances of the County. The performance bond shall be non-cancelable without the County's written consent. The performance bond shall be for the lifetime of the license and an additional five (5) years.

**Subsection 5. Insurance and Letter of Credit.**

A. Insurance. Unless otherwise provided by the County Board, issuance of a license under this ordinance shall be contingent upon the licensee furnishing to the County certificates of insurance issued by insurers duly licensed within the State of Minnesota evidencing the following insurance coverages and amounts:

1. General liability coverage with a comprehensive broad form endorsement (including coverage for premises and operations, products and completed operations and independent contractors); a broad form property damage endorsement; and a personal and bodily injury endorsement. Coverage shall be in an amount of at least one million dollars for total injuries and/or damages arising from a single occurrence, including a two million dollar aggregate limit.
2. Auto liability coverage including all owned, non-owned and hired autos. Coverage provided should be in an amount of at least one million dollars for injury to or death of any one claimant and one million dollars for total injuries and/or damages arising from a single occurrence, or a Combined Single Limit of one million dollars.

The certificate of insurance shall require that at least thirty (30) days notice be given to the County of cancellation of any insurance coverage specified therein.

B. Letter of Credit. The County Board may approve an irrevocable letter of credit in lieu of insurance requirements set forth in this subsection. The aggregate amount of the letter of credit shall be in at least the amount specified in this subsection. If the irrevocable letter of credit is drawn on under its terms, it shall be fully reinstated to its original amount within thirty (30) calendar days.

The irrevocable letter of credit shall be approved by the County Attorney and shall be worded in a manner consistent with Minnesota Rules 7035.2805, subp. 5, except that it shall be in favor of the County and the County's signed statement shall read as follows: "I certify that the amount of the draft is payable pursuant to the Douglas County Solid Waste Ordinance, subsection 5." This irrevocable letter of credit shall be subject to the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce, or the Uniform Commercial Code published in Minnesota Statutes, Chapter 336.

**Subsection 6. Indemnification.** The licensee agrees to indemnify and save the County harmless from all losses, costs and charges that may be incurred by the County due to failure of the licensee to comply with the provisions of this ordinance and which are not otherwise payable from the insurance bond and letter of credit coverage required by this ordinance.

**Subsection 7. Expiration and License Renewal.** Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this ordinance shall expire on the last day of December of each year unless revoked earlier. Application for license renewal shall be made in writing to the County Board by December 15 of each year. Application for renewal shall contain a statement of any changes in the information submitted in support of the last approved license application. Failure to submit such information shall result in grounds for revocation or for not granting renewal of the license by the County Board. If there are no changes, it shall be so stated in the renewal application. If a renewal license is not granted, the applicant shall be notified in writing of the reasons therefore by the County Board.

The County Solid Waste Officer shall mail an annual license renewal notice to all licensees by December 1 of each license year. The renewal license fee, required insurance and appropriate bond shall be submitted to the County by December 15 of the current year. Failure to apply for a license renewal by December 15 of each license year shall serve as a notification of intent not to renew the license and intent to terminate the solid waste management facility at the end of the current license year.

**Subsection 8. License Fees.** License fees shall be determined by the County Board prior to the start of the license year. When the license fee is not set prior to the license year, the license fee in effect during the prior license year shall remain in effect.

**Subsection 9. License Transfer.** Any license obtained under this ordinance may not be transferred without written approval of the County Board. In the case of a transfer of ownership, the licensee shall notify the County Solid Waste Officer sixty (60) days in advance of the expected license transfer date.

**Subsection 10. State Law and MPCA Rules.** All solid waste related activities within the County must at a minimum comply with the standards and criteria under state law and rules as amended from time to time.

## **SECTION III SOLID WASTE MANAGEMENT FACILITIES**

### **Subsection 1. Solid Waste Land Disposal Facility.**

- A. It is a violation of this ordinance for any person to establish or operate or maintain a solid waste land disposal facility including an industrial solid waste mixed municipal solid waste or demolition debris land disposal facility without first obtaining a solid waste management facility license from the County Board. No person may establish, operate or maintain a solid waste land disposal facility that does not comply with the minimum requirements for the design, construction and operation for a solid waste land disposal facility required by state laws and MPCA rules as amended from time to time. The County Board may, at its discretion, issue a license for the operation of a solid waste land disposal facility after receipt of an application and the other documents and fees described in Section II of this ordinance.
- B. A limited license for a demolition debris land disposal facility may be issued by the Solid Waste Officer without submission of the application required in Section II, subsection 2, if the demolition debris will be covered with final cover within ten (10) consecutive days of disposal and consists of demolition debris waste, the demolition debris waste is generated from the demolition of farm buildings in place, is disposed of on property of origin and such land disposal facility will not endanger the health, safety and welfare of the public.
- C. The licensee shall charge a fee per cubic yard of solid waste accepted and disposed at the solid waste land disposal facility from each party who delivers solid waste to the facility as required under Minnesota Statutes, Section 115A.923. The fees collected pursuant to this subsection shall be remitted to the County pursuant to Minnesota Statutes, Section 115A.923.

**Subsection 2. Transfer Facility.** It is a violation of this ordinance for any person to establish, operate and maintain a transfer facility without first obtaining a solid waste management facility license from the County Board. The County Board may, at its discretion, issue a license for the operation of a transfer station after receipt of an application and the other documents and fees described in Section II of this ordinance. The facilities must meet the requirements for the design, construction and operation of these facilities as required by state laws and MPCA rules as amended from time to time and such other regulations as may be established by the County Board in order to protect the health, safety, and welfare of the public.

**Subsection 3. Compost, Recycling and Waste Combustor Facilities.** It is a violation of this ordinance for any person to establish, operate, and maintain a recycling, compost or waste combustor facility without first obtaining a solid waste management facility license from the County Board. The County Board may, at its discretion, issue a license for the operation of a recycling, compost or waste combustor facility after receipt of an application and the other documents and fees described in Section II of this ordinance. All such facilities must meet the requirements for the design, construction and operation of these facilities as required by state laws and MPCA rules as amended from time to time and such other regulations as may be established by the County Board in order to protect the health, safety, and welfare of the public.

**Subsection 4. Used Tire Facility.**

- A. **General Prohibition and Requirements.** The generation, collection, storage, transportation, processing, reuse, recycling, incineration and/or disposal of used tires, either whole or in part shall be conducted in compliance with this ordinance regardless of number. The disposal of used tires on land is prohibited. The storage, collection or recycling of more than ten (10) used tires on a residential lot is prohibited.
- B. **Management Plan Required.** Any person who collects, stores, or deposits 50 to 100 used tires shall submit a tire management plan to the County for review and approval prior to conducting such activity.
- C. **License Required.** A property which accumulates at any one time more than 100 used tires shall first obtain a solid waste management facility license from the County Board. Facilities which may require solid waste management facility licenses include retail service centers, tire retreading businesses, motor vehicle service stations, vehicle salvage yards, tire shredding facilities, transfer and storage facilities, incinerators, intermediate disposal sites, and final disposal facilities. Persons using used tires for agricultural, recreational, or other beneficial reuse purposes may be exempt from the license requirement under this Subsection 4 pending review and approval by the County Board.
- D. **Construction and Operation.** A solid waste management facility for used tire management shall be constructed, operated, maintained and closed in conformance with the provisions of this ordinance. Plans and specifications and an operations plan shall be reviewed and approved by the County prior to licensure. Issuance of a license by the County Board shall be conditioned upon compliance with vector and pest control, fire prevention, zoning, and other requirements. Used tires that are collected

and stored shall be removed for processing, reuse and recycling, incineration and/or disposal on a regular basis and in no case shall the total used tire volume exceed the designated approved capacity in the license or become a public health and safety hazard or nuisance. Complete and accurate records of used tire management shall be maintained and submitted to the County with an annual operational report in a form determined by the County.

E. Used Tire Storage Requirements:

1. Used tires shall not be stored within 1,000 feet of intermittent or permanent wetlands, streams, ponds, and lakes, including shoreland and floodplain areas;
2. Used tires shall not be stored within 1,000 feet of wooded areas and other areas on which trees, tree stumps, and brush are located, which could harbor mosquito populations;
3. Used tires shall not be stored within one-half mile of a known or suspected endemic area of mosquito-borne viral encephalitis or other diseases;
4. Used tires shall not be stored within one-half mile of susceptible persons, which shall be defined to include private residences, day care centers, schools, parks, and recreational facilities;
5. Used tires shall not be stored within an area having a water table within five (5) feet of the lowest tire accumulation elevation;
6. Used tires shall not be stored within an area which is unsuitable with respect to topography, geology, hydrology, soils, land use, or other public health and safety concerns;
7. Used tires shall be confined to as small an area as practicable, with individual piles not more than 2,500 feet in area and twenty (20) feet in height;
8. A minimum twelve (12) foot separation distances shall be provided between piles of used tires to allow for truck and emergency vehicle access;
9. Adequate measures shall be provided to minimize the potential for tire fires;

10. Used tires shall be piled so as to minimize the accumulation of stagnant water;
  11. Used tires shall be stored a minimum of fifty (50) feet from the adjacent property line;
  12. Surface water drainage shall be diverted around and away from used tire storage areas;
  13. Adequate visual screening of used tire storage areas from housing or public right-of-ways shall be provided by use of natural objects, such as trees, berms, fences, or other means deemed acceptable by the County.
- F. Abatement of Used Tire Dumps. Used tire dumps shall be promptly terminated and properly closed within 60 days after receipt of a Notice of Violation issued by the County requiring termination and closure as corrective action. All used tires shall be removed from the property and shall be delivered to an approved processing facility for processing.
- G. Upon cessation of a used tire processing operation, the licensee shall be responsible for removal of all used tires and tire products from the site.
- H. Used tire processing facilities shall be subject to both the used tire storage requirements and recycling facility requirements of this ordinance.

**Subsection 5. Collection and Transportation Facilities.**

- A. License Requirements and Application. It is a violation of this ordinance to collect or transport solid waste within the County without first obtaining a license from the County Board. This section shall not apply to persons who collect and transport their own household solid waste. The County Board may, at its discretion, issue a license for the operation of such facilities after receipt of an application and other documents and fees all as described in Section II of this ordinance including the following:
1. The application shall include a list of all vehicles to be used for solid waste collection and transportation. The list shall specify the make, model and year each vehicle was built and the volume of solid waste which each vehicle can collect and transport.

2. The application shall include a general description of the route(s) to be followed by the applicant's vehicles when collecting and transporting solid waste.
  3. The application shall include information regarding the applicant's accounts, routes, type and quantities of solid wastes to be collected and transported, and such additional information as the County may require.
  4. In addition to the insurance requirements in Section II, Subsection 5, the issuance and renewal of a license is contingent upon the collector or transporter providing insurance certificates evidencing worker's compensation insurance and employer's liability insurance as required by state law for the term of the license.
- B. Equipment and operations requirements.
1. **Equipment Requirements.** All solid waste collection and transportation vehicles shall be durable, easily cleanable, leakproof, covered with metal, canvas, or a fish-net type material so as to prevent escape of solid waste while in transit and be designed for the safe collection, containment and transportation of solid waste.
  2. **Maintenance.** The licensee shall maintain all solid waste collection and transportation vehicles in a safe and sanitary manner, and provide brooms and shovels on each vehicle for the purpose of cleaning spilled material. All safety equipment including but not limited to horns, lights, and reflectors shall be operable.
  3. **Labeling.** The licensee shall display the capacity of each vehicle, and the name, address, and telephone number of the licensee on each side of the vehicle. Letters and numbers shall be at least (3) inches high.
  4. **Inspection.** The County Solid Waste Officer may inspect and approve all solid waste collection and transportation vehicles including the content of solid waste in the vehicle.
  5. **Storage in Vehicles.** The licensee shall not allow solid waste to remain or be stored in any collection or transportation vehicle in excess of 48 hours, except in the event of an emergency such as

inclement weather, equipment breakdown or accident.

6. **Protecting Private Property.** The licensee shall take reasonable care to protect the property of customers being served. The licensee shall be responsible for any damage or spillage of solid waste as a result of their actions.
  7. **Smoking, Smoldering or Burning Waste.** The licensee may not collect and transport solid waste materials that are smoking, smoldering or burning.
  8. **Dumping in an Emergency.** The licensee shall be responsible for the cleanup of any solid waste that must be dumped in an emergency. The operator of the vehicle shall immediately notify the County Solid Waste Officer and the appropriate law enforcement agency and emergency service of such a dumping and clean the area within a time limit set by the County.
- C. **Disposal of Solid Waste by an Unlicensed Solid Waste Vehicle.** A solid waste management facility licensed by the County Board shall not accept solid waste for disposal or storage from any solid waste collection and transportation vehicle required to be licensed pursuant to this ordinance, unless said vehicle has been licensed pursuant to this ordinance.
- D. **Volume-Based Collection Fees and Services.** Charges for the collection of mixed municipal solid waste in the County shall vary with the volume or weight of the solid waste collected. Refuse haulers in the County are prohibited from imposing a greater charge on residents who recycle than on residents who do not recycle.
- E. **Recycling and Yardwaste Services.** Refuse haulers must provide recycling and yard waste service, either directly or through written subcontract with a person or company approved by County, as a condition to receiving a license. A refuse hauler must furnish curbside collection of designated recyclables and yard waste as identified by resolution of the Pope/Douglas Joint Solid Waste Board. The refuse hauler must furnish curbside recycling to the areas designated by the Pope/Douglas Joint Solid Waste Board. All refuse haulers in the County shall provide such curbside or site collection upon notice by the County. Such notice shall be in writing and shall specify the date by which the recyclables pickup service must be provided. In addition:
1. The refuse hauler, in cooperation with the Pope/Douglas Joint

Solid Waste Board, must specify the day of collection that their customers are to place their recyclables out on their property for pickup.

2. The refuse hauler must collect the recyclables within 24 hours of the designated time. The collection location must be on the customer's property in a location at or near the regular solid waste collection site or such other location mutually agreeable to the hauler and the customer.
3. The refuse hauler may specify how a customer is to place their recyclables out for collection and how the recyclables are to be prepared. The Pope/Douglas Joint Solid Waste Board reserves the right to review and modify the amount of preparation required by the refuse hauler in consideration of local recyclable market requirements.
4. The refuse hauler must collect recyclables from each customer at least once a month unless normal solid waste collection service is provided less frequently than monthly.
5. The refuse hauler is assumed to own the recyclables they have collected and may market them as they see fit. However, a refuse hauler may not dispose of any recyclables at a solid waste land disposal facility or a waste combustor unless given prior written approval to do so by the Pope/Douglas Joint Solid Waste Board.

#### **SECTION IV SOLID WASTE STORAGE.**

- A. General Provisions. All property owners or persons who have control over property within the County shall keep the property free and unless kept in an enclosed building or screened of waste accumulations of solid waste except as otherwise authorized by this ordinance. All property owners and persons who have control over property shall promptly remove accumulations of: (a) animal feces, inoperable machines, appliances, fixtures, and equipment so damaged, deteriorated or obsolete as to have no substantial value; (b) lumber piles and building materials unless being actively used by a business or for construction requiring the use of such lumber and materials; (c) tin cans, broken glass, broken furniture, boxes, crates, and other debris; (d) abandoned motor vehicles, any inoperative or unlicensed automobile, truck or other machinery shall be kept in an enclosed building or screened in such manner as not to be visible from any public road or street or adjacent

property; (e) any other form of mixed municipal solid waste. Nothing in this section is designed to restrict the commonly accepted activities of farms and duly established and licensed automobile, scrap iron, metal recyclers and salvage operations.

- B. **Storage Facilities and Containers Required.** Every non-farm property shall be supplied with adequate solid waste storage facilities and containers. Such facilities and containers shall be supplied by a commercial hauler.
- C. **Provided Facilities Required To Be Used.** Property owners shall cause occupants and employees to store solid waste in an enclosed building or screened in such manner as not to be visible from any public road or street or adjacent properties in the solid waste storage facilities and containers provided. The property owner shall not permit solid waste to be placed in locations or in a manner that the solid waste can be scattered by water, wind, animals, or insects. It is a violation of this ordinance to dispose of nonrecyclable solid waste in recycling containers.

## **SECTION V SOLID WASTE BURNING**

It is a violation of this ordinance for any person to burn solid waste. The burning of household garbage in an open area or open container is absolutely prohibited except for farm households where regularly scheduled garbage pickup is not available at the farm.

## **SECTION VI SERVICE CHARGE**

**Subsection 1. Service Charge Purpose.** The County may impose reasonable charges for solid waste management and disposal within its service area pursuant to its authority under Minnesota Statutes, Section 400.08.

**Subsection 2. Method of Billing and Collecting Service Charge.** The charges will be billed and collected as a fee on the applicable County tax statements in an amount determined by the rate schedule.

**Subsection 3. Rate Schedule and Charges.** The County Board, upon recommendation of the Pope/Douglas Joint Solid Waste Board, may establish or revise charges based on a rate schedule for solid waste management services. All rates and charges shall be uniform in their application to use and service of the same character and quantity. A copy of the current rate schedule shall be kept on file in the Office of

the County Auditor. If no new rate schedule for solid waste management services is adopted in any year, the rate schedule for the previous year shall remain in effect.

In establishing or revising the rate schedule, the County Board may take into account all factors relevant to solid waste management and disposal. Such factors include, but are not limited to the character, kind and quality of service and of solid waste, the method of disposition, the number of people served at each place of collection, and all other factors that enter into the cost of service, including but not limited to depreciation and payment of principal and interest on money borrowed by the County for the acquisition or betterment of facilities.

**Subsection 4. Appeals.** Any property owner may appeal the charge if they believe the service charge imposed upon their property is incorrect. An appeal form may be obtained from the County Solid Waste Officer. The County Solid Waste Officer shall, within 30 days of receipt of the appeal, review the appeal and, after consultation with the County Board, notify the appellant by U.S. mail whether an adjustment is due and how much or whether the appeal is denied.

**Subsection 5. Unpaid Charges.** On or before October 15 in each year, the County Board shall certify to the County Auditor all unpaid outstanding charges and a description of the lands against which the charges arose. It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments with interest rate provided for in Minnesota Statutes, Section 279.03, subdivision 1, upon the tax rolls of the County for the taxes of the year in which the assessment is filed. For each year ending October 15, the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the State. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

**Subsection 6. Service Area.** The boundaries of the County shall constitute the boundaries of the solid waste management service area which are subject to the solid waste service charge.

## **SECTION VII ENFORCEMENT, INSPECTION AND ADMINISTRATION**

**Subsection 1.** The County may inspect solid waste management facilities or any other property at any time to insure compliance with the provisions of this ordinance. A licensee shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the date by which the corrections shall be accomplished. The licensee shall be required to allow free access to authorized representatives of the County, MPCA, or to authorized representatives

of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, or any other applicable statute, ordinance or regulation.

**Subsection 2. Warning Letter and Notice of Violation.** A warning letter or a notice of violation, may be issued to the person alleged to have committed a violation of this ordinance prior to issuance of a citation under Subsection 3. A warning letter and a notice of violation shall serve to place the person alleged to have committed a violation on notice that compliance with specified County ordinance requirements must occur to avoid additional enforcement actions.

A written letter of warning may be issued by the County Solid Waste Officer to notify a party that it is in violation of a County ordinance. The warning letter will inform the party of the alleged violations, the nature and extent of the violations and the required corrective actions. The warning letter shall be utilized as the initial County notification of alleged violations, except in cases of imminent threat to public health and safety and the environment or repeated violations.

A formal written notice of violation may be issued by the County Solid Waste Officer to notify a party that it is in violation of a County ordinance. This notice will inform the party of the alleged violations, the nature and extent of the violations and the required corrective actions. The notice of violation shall also specify additional actions that will be taken by the County, as well as specific time frames in which these actions will be completed. The notice of violation may require persons to remove solid waste which was disposed without authorization and if not removed, provide for the removal of such solid waste at the property owner's or occupant's expense. The costs incurred by the County to remove the solid waste shall be a lien on the property and collected as a special assessment pursuant to Minnesota Statutes Section 351.18, Subd. 14.

**Subsection 3. Citations.** An authorized representative of the County through the County Solid Waste Officer shall have the power to issue citations for violations of this ordinance, but shall not be permitted to physically arrest or take into custody any violator.

- A. Issuance. Citations shall be issued to the person alleged to have committed the violation either by personal delivery or by registered or certified mail. In the case of a public, private or municipal corporation, the citation shall be issued to any officer or agent, expressly or impliedly authorized to accept such citation. Citations shall be made out in quadruplicate. One copy shall be issued to the person alleged to have committed the violation; one copy shall be filed with the County Solid Waste Officer; one copy shall be filed with the County Attorney's Office; one copy shall be filed with the District Court.

- B. Form. Citations shall be on such form(s) as approved by the County and shall contain at least the following:
1. The name and address of the person alleged to have committed the violation and, when known, the owner or person in charge of the premises at which the violation occurs.
  2. The date and place of violation.
  3. A short description of the violation followed by reference to the section of this ordinance violated.
  4. The name of person issuing the citation.
  5. The date and place at which the person receiving the citation shall appear and a notice that if such person does not respond, a warrant may be issued for such person's arrest.
  6. Such other information as the County District Court may specify.
- C. Appearance. The person charged with the violation shall appear at the place and on or before the date specified in the citation and either:
1. Pay the fine assigned to the violation ; or
  2. Schedule a court date for a hearing on the citation.
- D. Complaint. If the person charged with the violation fails to appear as required by the citation, the citation shall be referred to the County Attorney's Office for issuance of a summons and complaint.

**Subsection 4. License Suspension.**

- A. Suspension:
1. Any license issued under this ordinance may be suspended for violation of any provision of this ordinance. The license may be suspended by the County Board for a period not longer than sixty (60) days or until the violation is corrected.
  2. Such suspension shall not be effective earlier than ten (10) working days after written notice of suspension has been served on the licensee or, if a hearing is requested, until written notice of the County Board action has been served on the licensee. Notice

to the licensee shall be served personally or by registered or certified mail at the address designated in the license application. Such written notice of suspension shall contain the effective date of the suspension, the nature of the violation or violations constituting the basis for the suspension, the facts which support the conclusion that a violation or violations has occurred, and a statement that if the licensee desires to appeal, he must within ten (10) County working days, exclusive of the day of service, file a request for hearing.

If the licensee desires a hearing, the hearing request shall be in writing stating the grounds for appeal and served personally by registered or certified mail on the County by midnight of the 10th County working day following service. If the licensee fails to request a hearing within the above prescribed time, the licensee shall forfeit any right to a public hearing. Following receipt of a request for a hearing, the County Board shall set a time and place for the hearing. The hearing shall be conducted according to the procedures in Section VII, Subsection 6.

3. If, after the hearing, said suspension is upheld and the licensee has not demonstrated within the 60-day period that the provisions of the ordinance have been complied with, the County Board may serve notice of continued suspension for up to sixty (60) days or initiate revocation procedures.

**B. Summary Suspension:**

1. If the County Solid Waste Officer finds that emergency action is required to avoid an imminent threat to the public health, safety or welfare and incorporates a finding to that effect in its order, summary suspension of license may be ordered by the County Solid Waste Officer upon notification of the County Attorney's Office and the County Board, subject to County Board ratification at its next meeting. Written notice of such summary suspension shall be personally served on the licensee, or shall be served by registered or certified mail to said licensee at the address designated in the license application. In addition, the County Solid Waste Officer may post copies of the notice of summary suspension of the license on the licensed facility or property being used for the licensed activity. Said posting shall constitute the notice required under this section.

2. The written notice in such cases shall state the effective date of the suspension and the nature of the violation requiring emergency action, the facts which support the conclusion that a violation or violations has occurred and a statement that if the licensee desires to appeal he must, within ten (10) County working days, exclusive of the day of service, file a request for a hearing. The hearing request shall be in writing stating the grounds for appeal and served personally or by registered or certified mail on the County Board by midnight of the 10th County working day following service. Following receipt of a request for an appeal, the County shall set a time and a place for the hearing.
3. The summary suspension shall not be stayed pending an appeal, but shall be subject to dismissal upon a favorable reinspection by the County Solid Waste Officer subject to ratification by the County Board at its next meeting.

C. Reinspections and Dismissal of Suspension:

Upon written notification from the licensee that all violations for which a suspension or summary suspension was invoked have been corrected, the County Solid Waste Officer shall reinspect the facility or activity within a reasonable length of time, but in no case more than five (5) County working days after receipt of the notice from the licensee. If the County Solid Waste Officer finds upon such reinspection, that the violations constituting the grounds for the suspension have been corrected, the County Solid Waste Officer shall immediately dismiss the suspension subject to County Board ratification at its next meeting, by written notice to the licensee, served personally or by registered or certified mail at the address designated in the license application.

**Subsection 5. License Revocation:**

1. Any license granted pursuant to this ordinance may be revoked by the County Board for violation of any provision of this ordinance.
2. Revocation shall not occur earlier than ten (10) County working days from the time that written notice of revocation is served on the licensee or, if a hearing is requested, until written notice of the County Board action has been served on the licensee. Notice to the licensee shall be served personally or by registered or certified mail at the address designated in the license application. Such written notice of revocation shall contain the effective date of the revocation, the nature of the violation or violations constituting the basis for the revocation, the facts

which support the conclusion that a violation or violations have occurred and a statement that if the licensee desires to appeal, they must within ten (10) County working days, exclusive of the day of service, file a request for a hearing. If the licensee desires a hearing, the hearing request shall be in writing stating the grounds for appeal and served personally or by registered or certified mail on the County by midnight of the 10th County working day following service. If the licensee fails to request a hearing within the above prescribed time, the licensee shall forfeit any right to a public hearing. Following receipt of a request for a hearing, the County Board shall set a time and a place for the hearing. The hearing shall be conducted pursuant to the procedures in Section VII, Subsection 6.

**Subsection 6. Hearings:** Whenever a hearing is requested in regard to an application, renewal, suspension or revocation of a license, the hearing shall be governed by the following procedures:

- A. **Hearing Officer.** The County Board shall have the power to conduct public hearings pursuant to this subsection. By resolution, the County Board may appoint a hearing officer to assist the County Board. If a hearing officer conducts hearings on behalf of the County Board, the hearing officer shall submit to the County Board, in writing, findings of fact, conclusions of law and recommendations, and the County Board may base its decisions on this report.
- B. **Notice of Decisions.** The County Board shall notify the applicant or licensee in writing as to its decision within five (5) working days after a decision is reached.
- C. **Procedure.** All hearings held shall be conducted in the following manner:
  1. The entire proceedings shall be recorded.
  2. All testimony shall be sworn under oath.
  3. The rules of evidence shall be informal. All relevant evidence may be received, subject to the County Board's or hearing officer's discretion.
  4. The County shall present evidence first, including all testimony, exhibits, pictures, experts, and other types of evidence.

5. The applicant or licensee, or his counsel, if represented, may cross-examine all witnesses testifying in the proceedings.
6. The attorney for the County Board may cross-examine all witnesses testifying in the proceedings.
7. At the conclusion of the hearing, the matter may be taken under advisement by the County Board or hearing officer, if any.
8. The decision of the County Board shall be based on the evidence presented at the hearing before the County Board taking into consideration the findings of fact, conclusion of law and recommendations of the hearing officer, if any.
9. If the applicant or licensee fails to appear at the hearing, he shall forfeit any right to a public hearing before the County Board or the hearing officer.
10. Any applicant or licensee aggrieved by a decision of the County Board shall have the right to appeal to the County District Court on questions of law and fact within 30 days of the date of the decision.

**Subsection 7.** The County Solid Waste Officer shall be responsible for the administration and enforcement of this ordinance. The Officer's duties shall include, but not be limited to the following:

- A. To review and consider all license applications submitted to the County Board for operation of solid waste management facilities within the County and after consideration, to recommend to the County Board that a license be granted or denied.
- B. To issue renewal licenses when no changes in conditions or information from when the initial license was issued are identified by the licensee or come to the attention of the County Solid Waste Officer and the licensee is in full compliance with this ordinance.
- C. Inspect waste facilities and any other property as herein provided, and to investigate complaints of violations of this ordinance.

- D. To recommend, when necessary, to the County Attorney's Office that legal proceedings be initiated against a certain person, site or facility to compel compliance with the provisions of this ordinance or to terminate or abate operation of the same.
- E. To encourage and conduct studies, investigations and research relating to aspects of waste disposal such as methodology, chemical and physical considerations, and engineering.
- F. To advise, consult, and cooperate with other governmental agencies in the furtherance of the purposes of this ordinance.

## **SECTION VIII VIOLATIONS AND PENALTIES**

**Subsection 1. Misdemeanor:** Any person who fails to comply with the provisions of this ordinance may be charged with a misdemeanor and upon conviction thereof shall be punished therefore as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**Subsection 2. Equitable Relief:** In the event of a violation or a threat of violation of this ordinance, the County Attorney may take appropriate action to enforce this ordinance including requesting injunctive relief, action to compel performance or other appropriate relief in County District Court, if necessary, to prevent, restrain, correct or abate such violations or threatened violations.

**Subsection 3. Costs as Special Assessment:** If a licensee, owner, or operator of a waste facility fails to comply with this ordinance, the County may take the necessary steps to correct such violations or terminate the facility. The County may recover all such costs incurred in taking corrective action in a civil action in any court of competent jurisdiction or such costs may be certified, at the discretion of the County Board, to the County Auditor as a special assessment against the real property pursuant to Minnesota Statutes. The assessment shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with state law. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

**Subsection 4. Fees for Inspection and Investigation:** The County Board may establish fees for inspection or investigation of properties to determine compliance with the terms of this ordinance. The fees established will take into account the County's cost to provide the service including personnel, data accumulation, administration and transportation.

## **SECTION IX VARIANCES**

Upon written application, the County Board may grant variances from the requirements and standards prescribed by this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance.

**SECTION X HAZARDOUS WASTE ORDINANCE:** The provisions of this ordinance apply only to solid waste. The generation, storage, processing, treating, handling, transportation, or disposal of hazardous waste is governed by the provisions of the Minnesota Pollution Control Agency's Hazardous Waste Management.

**SECTION XI RESTRICTIVE READING:** Where the conditions imposed by any provision of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or any other applicable law, ordinance, rule and regulation, the provision which establishes the more restrictive standards for the promotion and protection of the public health, safety and general welfare shall prevail.

## **SECTION XII ADDITIONAL REQUIREMENTS**

For the purposes of protecting and providing for public health, safety and welfare, the County Board may impose additional requirements consistent with the intent of this ordinance for the operation of solid waste management facilities.

## **SECTION XIII SEPARABILITY**

It is hereby declared to be the intention of the County Board that the several provisions of this ordinance are separable in accordance with the following:

**Subsection 1.** If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

**Subsection 2.** If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular structure, site, facility or operation, such judgment shall not affect the application of said provision to any other structure, site, facility or operation not specifically included in said judgment.

## **SECTION XIV PROVISIONS ARE CUMULATIVE**

The provisions in this ordinance are cumulative and are additional limitations upon all other laws and ordinances heretofore passed or which may be passed hereafter covering any subject matter in this ordinance.

**SECTION XV NO CONSENT**

Nothing contained in this ordinance shall be deemed to be a consent, license, or permit to locate, construct or maintain a site, facility or operation, or to carry on any activity except by strict adherence to the terms of the ordinance.

**SECTION XVI CITY ORDINANCES**

Nothing in this ordinance shall be construed to limit the authority of a city within the County to enforce the provisions of its own city ordinances within its jurisdiction at its own expense even if such ordinances are more restrictive than the County ordinance.

**SECTION XVII EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication according to law.

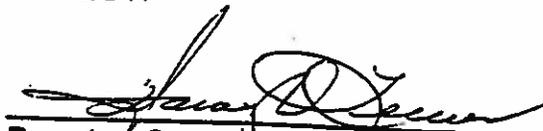
**SECTION XVIII REPEALER**

The Douglas County Solid Waste Ordinance dated May 9, 1983, and its amendments are hereby repealed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY THIS 23 DAY OF October, 1996.

  
\_\_\_\_\_  
Chairman of the Douglas County Board

ATTEST:

  
\_\_\_\_\_  
Douglas County Auditor

OFFICE OF COUNTY RECORDER }  
County of Douglas, Minn. } SS

I hereby certify that the within instrument was filed in this office for record on the 23rd day of Oct. A.D. 19 96 at 10:00 o'clock A. M. and was duly recorded as

Doc. No. **160423**

MICROFILMED

\_\_\_\_\_  
County Recorder

163394

SOLID WASTE DISPOSAL ORDINANCE

(Ordinance Number 4)

POPE COUNTY

ADOPTED BY THE

POPE COUNTY BOARD OF COMMISSIONERS

POPE COUNTY, MINNESOTA

December 7, 1933

ORDINANCE NUMBER 4  
SOLID WASTE DISPOSAL ORDINANCE  
FOR POPE COUNTY

TABLE OF CONTENTS

<u>SECTION NO.</u>	<u>TITLE</u>	<u>PAGE NO.</u>
I	DEFINITIONS	1.
II	GENERAL PROVISIONS	2
III	SOLID WASTE DISPOSAL BY SANITARY LANDFILL	5
IV	TRANSFER STATIONS	9
V	SOLID WASTE DISPOSAL BY DEMOLITION LANDFILL	11
VI	INCINERATION AND ENERGY RECOVERY	11
VII	VARIANCES	12
VIII	ADDITIONAL REQUIREMENTS	12
IX	ENFORCEMENT AND INSPECTION	12
X	VIOLATIONS AND PENALTIES	13
XI	SEPARABILITY	15
XII	PROVISIONS ARE ACCUMULATIVE	15
XIII	NO CONSENT	15
XIV	EFFECTIVE DATE	15

SOLID WASTE DISPOSAL ORDINANCE  
(Ordinance Number 4)  
FOR POPE COUNTY

An ordinance pursuant to M.S. Chapter 400 establishing standards for and regulating solid waste disposal, and the operation of waste facilities in Pope County, Minnesota; requiring a license for the establishment and operation of a waste facility; requiring a license for the collection and transportation of solid waste; providing for license fees, performance bonds and penalties for lack of compliance with these provisions; promoting the health, welfare, and safety of the public.

The County Board of Pope County, Minnesota, does ordain:

SECTION I - DEFINITIONS. The following words and phrases, when used in this ordinance, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.

Subsection 1. "Agency" means the Minnesota Pollution Control Agency, its agents or representatives.

Subsection 2. "Collection", when referring to solid waste, means the aggregation of solid waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

Subsection 3. "County Board" is defined as the Pope County Board of Commissioners.

Subsection 4. "Cover Material" is material that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness and compactibility. Suitable cover materials include, but are not limited to, sandy loam, loam, silt loam, sandy clay loam, silty clay loam, sandy clay, and loamy sand.

Subsection 5. "Demolition Landfill" is defined as an area of land used for the disposal of demolition waste without creating nuisances or hazards to the environment, public health and safety, and is opened in compliance with the provisions of this ordinance.

Subsection 6. "Demolition Waste" is defined as material normally found in buildings to be demolished, such as, but not necessarily limited to, bricks, stone facing, concrete, cement blocks, stucco, plaster, wall boards, glass, pipe, wire, metal, plastic, asbestos, shingles and any inert materials as may be approved by the Planning and Zoning Department.

Subsection 7. "Planning and Zoning Department" is defined as the Pope County Planning and Zoning Department. Reference to solid waste officer also means Planning and Zoning Department.

Subsection 8. "Garbage" is defined as discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

Subsection 9. "Hazardous Wastes" means any refuse or discarded material or combination of refuse or discarded material in solid, semi-solid, liquid or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include but are not limited to: explosives, flammables, oxidizers, poisons, irritants and corrosives.

Subsection 10. "Licensee" is defined as the person who has been given authority by the County Board to establish, operate and maintain a waste facility or a solid waste collection and transportation business.

Subsection 11. "Person" is defined as any entity, individual, partnership, corporation or organization of a private or public nature, and any representative thereof.

Subsection 12. "Processing", when referring to solid waste, means the treatment of solid waste after collection, and includes all activities after the time the waste is delivered to a waste facility. Processing includes but is not

Subsection 13. Putrescible material is defined as solid waste which is capable of becoming rotten and which may reach a foul state of decay or decomposition.

Subsection 14. "Refuse" is defined as putrescible and nonputrescible solid wastes, except body wastes, and including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, and market and industrial solid wastes.

Subsection 15. "Sanitary Landfill" is defined as a method of disposing of solid waste on land in accordance with a preconceived plan and without creating nuisances or hazards to public health or safety and utilizing the principles of environmental planning and engineering to confine solid waste to the property and smallest practical area, to reduce it to the smallest volume, and to cover it with an adequate layer of earth at the conclusion of each day's operation, or at such more frequent intervals as may be required.

Subsection 16. "Shoreland" is defined as land located with the following distances from the ordinary high water elevation of public waters: (a) land within 1,000 feet from the normal high water mark of a lake, pond, reservoir, impoundment, or flowage; and (b) land within 500 feet of a river or stream on the landward side of flood plain delineated by ordinance on such a river or stream, whichever is greater.

Subsection 17. "Sludge Waste" is defined as inorganic waste in a semi-liquid state, excluding toxic and hazardous waste, but including waste from automobile wash racks and steam cleaning products, ceramic, pottery and glass wastes, muddied water from laundries, and similar non-noxious materials resulting from industrial, commercial, agricultural, and water treatment operations.

Subsection 18. "Solid Waste" means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semi-solid, liquid or contained gaseous form, resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer, earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended; dissolved materials in irrigation return flows; or source material, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

Subsection 19. "Transfer Station" is defined as an intermediate waste facility in which solid waste collected from any source is temporarily deposited to await transportation to the final disposal site or facility.

Subsection 20. "Waste Facility" means all property real or personal including negative and positive easements and water and air rights which is or may be needed or useful for processing of solid waste, except property for the collection of the waste and facilities used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, disposal sites and facilities, and resource recovery sites and facilities.

## SECTION II - GENERAL PROVISIONS

Subsection 1. A person shall be in violation of this ordinance if he makes intermediate or final disposal of any solid waste at a facility for which a license has not been issued by the County Board. A person shall be in violation of this ordinance if he allows property or land under his control to be used for intermediate or final disposal of any solid waste unless a license for such purpose has been granted by the County Board. This subsection applicable only to waste disposal within Pope County.

Subsection 2. Any facility to be used for any method of waste processing not otherwise specifically provided for in this ordinance must be licensed by the County Board before operation may commence. The license application shall include two sets of complete plans, specifications, design data, ultimate land use plan if applicable, proposed operating procedures and such other information as may be required by the County Board, all as prepared by a registered professional engineer of Minnesota. The license fee shall be determined by the County Board. The applicant shall procure and provide with the application a proper zoning permit as required by existing applicable zoning ordinances.

Subsection 3. operation of a facility, the County Board shall determine the review procedure for the application. If an applicant is not granted a license, he shall be notified in writing the reasons therefore by the County Board. A denial shall be without prejudice to the applicant's right to an appearance before the County Board or for filing a further application after revisions are made to satisfy objections specified as reasons for the denial.

Subsection 4. Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant furnishing the County a bond in the amount to be set by the Board and naming the County as obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Minnesota as sureties. The conditions of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this ordinance in the operation of the waste facility, or if, for any reason, ceases to operate or abandons the waste facility, and the County is required to expend any monies or expend any labor or material to restore the facility to the conditions and requirements as provided by the ordinance, the obligor and the sureties on its bond shall reimburse the County for any and all expenses incurred to remedy the failure of the principal to comply with the terms of the ordinance, and the obligor and its sureties will indemnify and save the County harmless from all losses, costs and charges that may occur to the County because of any default of the obligor under the terms of his license to operate and the terms of the County ordinance. The performance bond shall be non-cancellable without the County's written consent. The performance bond shall be for the design lifetime of the facility and an additional ten (10) years following closure.

In addition to the bond to be furnished, the licensee shall furnish to the County certificates of insurance issued by insurers duly licensed within the State of Minnesota covering public liability insurance, including, but not limited to, general liability, motor vehicle liability, loading and unloading operations, bodily injury liability in an amount of at least \$250,000.00 for injury or death of any one person in any one occurrence and bodily injury liability in an amount of at least \$750,000.00 for injuries or death arising out of any one occurrence. Property damage liability shall be furnished in the amount of at least \$500,000.00 for any one occurrence and in the unencumbered aggregate amount of at least \$500,000.00.

Subsection 5. Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this ordinance shall expire on the last day of December of each year unless previously revoked. Applications for license renewal shall be made in writing to the County Board by December 15 of each year. Application for renewal shall contain a statement of any changes in the information submitted in the last approved license application. Failure to submit such information shall result in grounds for revocation or for not granting renewal of the license by the County Board. If there are no changes, it shall be so stated in the renewal application. If a renewal applicant is not granted a license, said applicant shall be notified in writing of the reason therefore by the County Board.

The license fee, required insurance and appropriate bond shall be submitted to Pope County by December 15 of the renewal license year. Failure to apply for a license renewal by December 15 of each license year shall serve as intent not to renew the license and intent to terminate the facility at the end of the current license year. The Planning and Zoning Department shall mail an annual license renewal notice to all licensees by December 1 of each year.

Subsection 6. Any license obtained under this ordinance may not be transferred without written approval of the County Board. In the case of a transfer of ownership, the licensee shall notify the Planning and Zoning Department sixty (60) days in advance of the date of effective transfer of ownership.

Subsection 7. An individual property owner not located within the corporate limits of any municipality may dispose of solid waste on his own property provided the following conditions are met:

- A) The solid waste is not putrescible material.
- B) The solid waste is generated on the property.
- C) The solid waste is not commercial or industrial generated.

unit on the premises.

- E) The disposal occurs in a manner that is nuisance free, pollution free and does not occur in a highly visible location.
- F) The waste does not include hazardous waste.
- G) The property is at least five acres in size.

Subsection 8. Collection and Transportation of Solid Waste.

- A) The collection and transportation of solid waste shall be performed in accordance with State rules administered by the Agency.
- B) Toxic or hazardous wastes shall be transported in a manner consistent with State rules administered by the Agency.
- C) No person may collect or transport solid waste for hire without first obtaining a license from the County Board. The County Board shall not issue a license until the application complies with all of the following requirements:
  - 1) The applicant shall submit a completed application form provided by the County for a solid waste collection and transportation license.
  - 2) The applicant shall submit to the County specifications of all vehicles to be used for solid waste collection and transportation. Such vehicles shall have leak-proof bodies of easily cleanable construction, completely covered with metal, heavy canvas or other suitable covering, and shall be subject to approval and periodic inspection by the Solid Waste Officer.
  - 3) The applicant shall submit a description of the route(s) to be followed by all solid waste collection and transportation vehicles between the area of collection and the solid waste disposal operation.
  - 4) The applicant shall meet all of the applicable requirements for obtaining a license which are specified in this ordinance.
  - 5) The applicant shall be financially and operationally capable, as determined by the County Board, to properly collect, transport, and dispose of all solid waste.

Subsection 9. Solid Waste Storage

- A) Solid waste shall be stored in a manner which complies with State rules administered by the Agency.
- B) Toxic or hazardous wastes shall be stored in accordance with State rules administered by the Agency.
- C) Transfer stations and canister sites may be established and shall meet all requirements listed in this ordinance as well as any additional requirements imposed by the County Board.
- D) Solid wastes shall not be stored on public or private property for more than two (2) weeks without the written approval of the Solid Waste Officer. Nonputrescible wastes suitable for recycling shall not be stored on public or private property in a manner which creates a nuisance, blight, or health hazard.

Subsection 10. Termination of Solid Waste Operations

- A) All land disposal operations licensed by the County shall be terminated in accordance with State rules administered by the Agency.
- B) The license of any operation in A) which has water monitoring wells or lysimeters which are reviewed by the County or the Agency to be sampled shall establish with the County an escrow account no later than one year from the effective date of this ordinance or five years prior to termination of the operation, whichever occurs sooner.

- C) The County shall perform all long-term monitoring required by the County or the Agency following termination or abandonment of all solid waste operations.
- D) The licensee of each solid waste operation shall inform the County Board in writing of a licensee's intent to abandon or terminate the operation. Such notice shall be provided in advance of the abandonment or termination date by the following amounts of time:

Land disposal operation	three years
Transfer station	one year
Incineration facility	three years
Collection/transportation service	one year
All other solid waste operations	one year

Failure of a licensee to comply, for any reason, with the above advance notice shall constitute a failure of the licensee to comply with the terms of this ordinance. The County Board may elect to pay all public and private higher-than-normal solid waste management costs which result from the premature cessation of a solid waste operation. The County may recover these costs through the provisions of Section II, Subsection 4.

### SECTION III- SOLID WASTE DISPOSAL BY SANITARY LANDFILL

Subsection 1. It is a violation of this ordinance for any person to dispose of solid waste or to establish or operate or maintain a sanitary landfill without first being licensed to do so by the County Board. The County Board may, at its discretion, issue a license for the operation of a sanitary landfill when the following materials prepared by a registered professional engineer of Minnesota are submitted to the County Board for consideration. The following information shall be submitted as a part of the application.

- A) A statement indicating that the applicant desires to operate either a Type I sanitary landfill or a Type II sanitary landfill, both defined in Subsection 2 of this section. If the applicant desires to establish, operate and maintain a Type II sanitary landfill, the statement shall indicate persons limited to the use thereof.
- B) A current map or aerial photograph of the area showing land use and zoning within  $\frac{1}{4}$  mile of the solid waste disposal site. The map or aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, water courses, wetlands, dry runs, rock outcroppings, roads, and other applicable details and drainage patterns. Wells shall be identified on the map or aerial photograph, U.S.G.S. datum shall be indicated, and a north arrow drawn. A location insert map shall be included.
- C) A plot plan including legal description of the site and immediate adjacent area showing dimensions, location of soil borings present and planned pertinent features including but not limited to roads, fencing and cover stockpiles. The plan of development including any excavation, trenching and fill shall be shown progressively with time. Cross sections shall be included on the plot plan or on separate sheets showing progressively with time the original and proposed elevation of excavation, trenching and fill. The scale of the plot plan should not be greater than 200 feet per inch.
- D) An ultimate land use plan, including intermediate stages, identifying the total and complete land use. The scale of the ultimate land use plan shall not be greater than 200 feet per inch. This land use plan shall describe in detail the post-closure operation, maintenance, and monitoring of the site. The post closure narrative shall also describe in detail a financing plan to assure post closure operation, maintenance and monitoring of the site.
- E) A report shall accompany the plans indicating:
  - 1) Population and areas expected to be served by the proposed site.

- 2) Anticipated type, quantity and source of material to be disposed of at the site.
  - 3) Source and characteristics of cover material and method of protecting cover material for winter operation.
  - 4) Type and amount of equipment to be provided at the site for excavating, earthmoving, spreading, compacting, and other needs.
  - 5) Area of site in acres.
  - 6) Owner of site and proposed licensee.
  - 7) Individuals responsible for actual operation and maintenance of the site and intended operating procedures.
  - 8) Demonstration to the County's satisfaction the availability of revenues necessary to operate the facility in accordance with applicable state and local laws, ordinance and rules.
- F) A hydrogeological study is required setting forth the same information as required in Minnesota Pollution Control Agency Rules and Regulations SW 6.

Subsection 2. Each sanitary landfill shall be classified as one of the two following types:

- A) Type I - A Type I sanitary landfill shall be a sanitary landfill which accepts all solid waste offered for disposal which may legally and reasonably be disposed of at the site during the posted hours of operation.
- B) Type II - A Type II sanitary landfill shall be a sanitary landfill which accepts solid waste for disposal from only a specified person.

Subsection 3. License fees which shall be collected each year by Pope County, shall be set by the County Board.

Subsection 4. Any person who authorizes or permits fill and trench areas of any sanitary landfill facility within the shorelands or wetlands of land under his control as owner, leasee, or otherwise shall be in violation of this ordinance.

Subsection 5. The following shall be established, constructed, or provided for at the sanitary landfill facility. Any person who maintains or operates a sanitary landfill facility or permits the use of property for such shall maintain and operate the facility in conformance with the following practices, and shall be in violation of this ordinance if the practices are not followed:

- A) Open burning shall be prohibited.
- B) Solid waste shall not be deposited in such a manner that material or leachings therefrom may cause pollution of underground or surface water. Putrescible wastes shall not be deposited within five feet above the highest known water table at the landfill facility.
- C) Unloading of solid waste shall be confined to as small an area as practicable and surrounded with appropriate facilities to confine possible wind-blown material within the area.
- D) Solid waste shall be compacted as densely as practicable and covered after each day of operation with a compacted layer of at least six (6) inches of suitable cover material.
- E) If refuse cells will be exposed to the elements for a period of 120 days or longer, an intermediate cover totaling at least twelve (12) inches of compacted suitable cover shall be provided and maintained.

- F) There shall be an available supply of suitable cover material which, if necessary, shall be stockpiled and protected for winter operation.
- G) The sanitary landfill shall be constructed and cover material graded so as to promote surface water runoff without excessive erosion.
- H) Surface water discharge shall be diverted around the landfill operating area.
- I) A minimum separation distance of twenty (20) feet shall be maintained between the disposal operation and the adjacent property line.
- J) Control of vectors, such as rodents and flies, and of odors, dust, wind-blown material and other potential public nuisances shall be sufficient to prevent or eliminate any public nuisance. Should the Planning and Zoning Department so prescribe, the licensee, at his own expense, shall engage an exterminator or pest control agent to inspect the landfill on at least a monthly basis. A copy of each inspection report shall be sent to the Planning and Zoning Department immediately upon its receipt by the licensee.
- K) An all weather haul road to the unloading area shall be constructed and maintained. Road specifications and construction shall be inspected and approved by the County Engineer.
- L) Equipment sufficient for spreading, compacting, and cover operations to include sufficient reserve equipment or arrangements to immediately provide for equipment during period of breakdown shall be available.
- M) Scavenging shall not be allowed.
- N) Visual screening of the sanitary landfill facility, as approved by the Planning and Zoning Department, shall be provided by use of natural objects such as trees, plants, seeded soil berms, fences or other suitable means.
- O) An attendant shall be on duty at the facility at all times while it is open for public use. Unloading of refuse shall be continuously supervised at the working face of the landfill.
- P) The facility shall be fenced and a gate shall be provided at the entrance to the facility and kept locked when an attendant is not on duty.
- Q) At each entrance to the facility, the licensee shall direct and maintain a sign stating the name of the facility, the schedule of days and hours the facility is open, prices for use of the facility, and Minnesota Pollution Control Agency permit number. The sign and placement shall be subject to approval by the Planning and Zoning Department.
- R) At the County Board's discretion, a ground water and surface water monitoring system may be required at the licensee's expense.
- S) At the County Board's discretion, a liner and a leachate collection and treatment system, approved by the Planning and Zoning Department and the Agency, shall be used where required to protect underground and surface water.
- T) Decomposition gases shall not be allowed to migrate laterally from the sanitary landfill. They shall be vented into the atmosphere directly through the cover material or into cutoff trenches or into the atmosphere by forced ventilation, or by other means approved by the County Board so that the explosive concentrations are prevented.

- U) The following shall not be accepted for deposit in sanitary landfills except in amounts normal in household waste:
- 1) Liquids
  - 2) Any of the following: digested sewage sludges, lime sludges, grit chamber cleanings, bar screenings, and other sludges unless approved by the Planning and Zoning Department. Approval will be based on consideration of such factors as chemical composition, free moisture content, and workability.
  - 3) In no case will raw sewage, sewage sludge, raw animal manure, or septic tank pumpings be acceptable.
  - 4) Hazardous waste as identified by the Planning and Zoning Department or the Agency.
  - 5) Other substances that may be deemed unacceptable by the Planning and Zoning Department.
- V) The sanitary landfill shall not accept hazardous waste.
- W) Litter control devices such as portable fences shall be provided.
- X) Salvaging shall be allowed only upon conditions approved in writing by the County Board. Animal feeding within the facility is prohibited.
- Y) Putrescible material which has reached a foul state of decay or decomposition such as spoiled food and animal carcasses shall be immediately covered and compacted.
- Z) Disposal of truck and automobile tires shall be accomplished as follows:
- 1) No tire shall be deposited within four feet of any other tire.
  - 2) Each tire shall be covered with at least four feet of solid waste or cover material. This covering shall take place the same day the tire is deposited into the landfill.
- AA) The depth of any lift of solid waste in the landfill shall not exceed eight (8) feet.
- BB) Vehicles such as automobiles and trucks shall not be accepted for disposal.
- CC) Accurate records of facility operations shall be maintained. These records shall contain information pertinent to facility operation. Intake of solid waste in tons or cubic yards shall be recorded daily in the manner acceptable to the Planning and Zoning Department. General areas in which a particular type of solid waste disposal takes place within the landfill shall be recorded. Such records shall be totaled monthly and submitted to the Planning and Zoning Department within twenty (20) days after the monthly recording period. These records shall be available at all times for review and inspection by the Planning and Zoning Department.
- DD) Within one month after termination of a facility or a major part thereof, the area shall be covered with at least two feet of compacted cover material adequately sloped to allow surface water runoff. No holes or depressions which might result in collection of surface water shall remain or exist after such covering.
- EE) The finished surface of the filled areas shall be covered with adequate top soil and seeded with native grasses or other suitable vegetation immediately upon completion or immediately in the spring on areas terminated during winter conditions. If necessary, seeded slopes shall be covered with straw of similar material to prevent erosion.

- FF) Prior to termination of operation of the facility, the Planning and Zoning Department shall be notified in order that an inspection may be conducted before personnel and equipment are removed from the property. The final conditions of the landfill must be approved by the Planning and Zoning Department and the Minnesota Pollution Control Agency before such removal may occur.
- GG) A detailed description and a plat of the completed sanitary landfill facility shall be submitted to Pope County Planning and Zoning Department and recorded with the Office of Pope County Recorder within one month of the final termination of the landfill. This description shall include the general type and location of the deposited solid waste, the type and number of lifts, original and final terrain descriptions and other pertinent characteristics of the completed landfill facility.
- HH) The County may also require installation of communication facilities, sanitation facilities, shelter, first aid and facilities necessary to control dust and fire.

#### SECTION IV - TRANSFER STATIONS

Subsection 1. It is a violation of this ordinance for any person to establish, operate and maintain a transfer station without first being licensed to do so by the County Board. The County Board may, at its discretion, issue a license for the operation of a transfer station when the following materials prepared by a registered professional engineer of Minnesota are submitted to the County Board for consideration. The following information shall be submitted as a part of the application.

- A) A current map or aerial photograph of the area showing land use and zoning within  $\frac{1}{4}$  mile of the solid waste transfer station. A location insert map shall be included.
- B) A plot plan including legal description of the site or facility and immediate adjacent area showing dimensions; present and planned pertinent features including but not limited to roads, buildings, fencing, and other applicable details; and shall indicate the general topography. The scale of the plot plan should not be greater than 200 feet per inch.
- C) A report shall accompany the plans indicating:
- 1) Population and areas expected to be served by the proposed facility.
  - 2) Anticipated type, quantity and source of solid waste to be handled at the transfer station.
  - 3) If requested by the Planning and Zoning Administrator, geological formations and ground water elevations to a depth of at least ten (10) feet below proposed excavation and lowest elevation of the site, including the high water table. Such data shall be obtained by soil borings or other appropriate means.
  - 4) Type and amount of equipment to be provided for operations of the transfer station.
  - 5) Area of site in acres.
  - 6) Owner of the site and proposed licensee.
  - 7) Individuals responsible for actual operations and maintenance of the transfer stations and intended operating procedures.
  - 8) Sanitary landfill or other waste facility where solid waste will be hauled, the owner, hours of operation, and the Pollution Control Agency permit number.
- D) The applicant shall procure and provide with the application a proper zoning permit as required by applicable zoning ordinances.

Subsection 2. Each transfer station shall be classified as one of the two following types:

- A) Type I - A Type I transfer station shall be a transfer station which accepts all solid waste offered for disposal which may legally and reasonably be disposed of at the facility during the posted hours of operation.
- B) Type II - A Type II transfer station shall be a transfer station which accepts solid waste for disposal from only a specified person.

Subsection 3. License fees shall be set and collected by the County Board annually.

Subsection 4. The following shall be established and maintained at the transfer station. Any person who maintains or operates a transfer station or permits the use of property for such, shall maintain and operate the facility in conformance with the following practices, and shall be in violation of this ordinance if the practices are not followed.

- A) The transfer station facility shall be kept locked by utilizing fencing and gates, or by other accepted means when an attendant is not on duty.
- B) Roads on the premises shall be all-weather surfaced. The premises shall be constructed and landscaped in such a manner as to be aesthetically pleasing in appearance.
- C) Equipment sufficient for loading and unloading operations to include sufficient reserve equipment or arrangements to immediately provide for equipment during periods of breakdown.
- D) At each entrance to the site, the licensee shall erect and maintain a sign stating the name of the facility, the schedule of days and hours the facility is open, prices for use of the facility and Minnesota Pollution Control Agency permit number.
- E) At the County Board's discretion, a ground water and surface water monitoring system may be required, at the licensee's expense.
- F) Visual screening of the transfer station facility, as approved by the Planning and Zoning Department, shall be provided by uses of natural objects, trees, plants, seeded soil berms, fences, or other suitable means.
- G) The transfer station shall be so situated, equipped, operated and maintained as to minimize interference with other activities in the area.

Subsection 5. It shall be a violation of this ordinance if a transfer station licensee does not comply with the following regulations:

- A) Solid waste left in the station at the end of the working day shall be confined to the smallest possible area and shall be the first material removed from the station when the operations are resumed. The remaining areas of the station shall be thoroughly cleaned in such a manner whereby the only waste remaining is that which is in the pile to be disposed of.
- B) Solid waste shall not remain in the station longer than 48 hours, and no solid waste shall remain in the station during a day in which the transfer station is not open to the public.
- C) Areas to be open to the public view shall be maintained in a clean and acceptable aesthetic condition at all times. The area where the transfer vehicles are loaded shall be cleaned up on a regular schedule to insure a minimum amount of litter at any time.
- D) Subsequent or ultimate disposal must be at a waste facility for which a permit has been issued by the Minnesota Pollution Control Agency and the appropriate municipal and county governments.

- E) No alterations or additions to the disposal system will be made without the written consent of the Planning and Zoning Department.
- F) The use of the transfer station shall be in accordance with and limited to the disposal of waste described in the plans and/or license application and associated material on file with the Planning and Zoning Department.
- G) Records approved by the Planning and Zoning Department shall be maintained indicating the type and quantity of waste passing through the transfer station. Each month, or as otherwise arranged, the licensee shall submit reports indicating the type and quantity of waste passing through the transfer station to the Planning and Zoning Department.
- H) The transfer station shall be operated at all times in accordance with any applicable rules and regulations or ordinances of the Minnesota Pollution Control Agency and the County of Pope.
- I) Control of vectors, such as rodents and flies, and of fire, odors, dust, wind-blown materials and other potential public nuisances shall be sufficient to prevent or eliminate any public nuisances. Should the Planning and Zoning Department so prescribe, the licensee at his own expense shall engage an exterminator or pest control agent to inspect the transfer station on at least a monthly basis. A copy of each inspection report shall be sent to the Planning and Zoning Department immediately upon its receipt by the licensee.
- J) An attendant shall be on duty at the facility at all times while it is open for public use. Unloading of waste shall be continuously supervised.
- K) When stated in and so required by the license, the licensee shall take away all solid waste, wash, clean and disinfect the station at the end of each day of use, or as otherwise stipulated.

#### SECTION V - SOLID WASTE DISPOSAL BY DEMOLITION LANDFILL

A demolition landfill shall comply with the provisions of Section III Solid Waste Disposal by Sanitary Landfill. Provisions of Section III may be waived by the County Board if the health, safety, and welfare of the public will not be endangered. A limited permit for a demolition landfill may be issued by the Planning and Zoning Department if the demolition landfill will be completed with final cover within ten (10) consecutive days and will not consist of more than one hundred cubic yards of demolition waste. The Planning and Zoning Department may waive provisions of Section III for a limited permit for a demolition landfill if the health, safety, and welfare of the public will not be endangered.

Disposal of trees and other wood wastes may be carried out in a demolition landfill subject to approval by the County Board or the Planning and Zoning Department.

#### SECTION VI - INCINERATION AND ENERGY RECOVERY

All incinerators having a capacity greater than 6,000 pounds per hour shall meet the requirements of State rules administered by the Agency. Additionally, the following requirements shall apply to all incinerators of any size which process solid waste from more than a single household.

Subsection 1. No person shall install or operate an incinerator without first obtaining a license from the County Board.

Subsection 2. The applicant shall meet all requirements for obtaining a license as specified in this ordinance. Furthermore, the County Board shall not issue a license until the applicant and facility comply with the following requirements:

- A) All of the same criteria for incinerator construction, operation and maintenance contained in State rules administered by the Agency which presently apply only to incinerators with capacities greater than 6,000 pounds per hour.

- B) Upon completion of the facility and prior to initial operation, the County Solid Waste Officer shall be notified to allow personnel of the County to inspect the facility both prior to and during the performance tests.
- C) The application for a County license shall include, but not be limited to, the following:
  - 1) An operating schedule and a schedule of fees to be levied at the incinerator.
  - 2) A notarized affidavit stating that the applicable local governments have been given at least thirty (30) days written notification of the pending application for a license.
  - 3) A certificate from the Zoning Administrator that the use proposed is in accordance with the established County zoning ordinance or other applicable ordinances.
  - 4) Sufficient documentation to enable the County Board to determine whether the applicant is financially and operationally capable to properly process and dispose of all solid waste.
  - 5) All of the same information required for review by the State rules administered by the Agency which presently apply only in incinerators with capacities greater than 6,000 pounds per hour.
  - 6) Such additional data and information as may be required by the Solid Waste Officer.
- D) During normal operation, the facility shall comply with the following requirements:
  - 1) Permanent records shall be maintained for County inspection as to the quantity of material incinerated, the total quantity of resulting residue and total hours of plant operation.
  - 2) Any discharge to the air, or to surface or ground waters of the State shall meet all applicable State rules for air and water quality or effluent standards now or hereafter adopted.
  - 3) All unloading and processing of solid wastes at the facility shall be conducted in such a manner as to prevent or eliminate odors and litter outside the facility.

#### SECTION VII - VARIANCES

Upon written application by the applicant or operator, the Pope County Board of Adjustment may grant variance from the requirements of the regulations and standards prescribed by this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance. Variance procedures shall be as established within Pope County Ordinance No. 1.

#### SECTION VIII - ADDITIONAL REQUIREMENTS

For the purpose of protecting and providing for public health, safety and welfare, the County Board may impose additional requirements consistent with the intent of this ordinance for the operation of waste facilities.

#### SECTION IX - ENFORCEMENT AND INSPECTION

Subsection 1. Inspection and evaluation of waste facilities shall be made by the Planning and Zoning Department or Agency in such frequency as to insure consistent compliance by the facilities with the provisions of this ordinance. The licensee shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the

be required to allow free access to authorized representatives of the Planning and Zoning Department, County Board, Agency, or to authorized representative of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, or any other applicable statute, ordinance or regulation.

Subsection 2. The County shall have the right to inspect private property to determine if a waste facility is in accordance with the provisions of this ordinance.

Subsection 3. Where the conditions imposed by any provisions of this ordinance are either more restrictive or less restrictive, than comparable conditions imposed by any other provision of this ordinance or any other applicable law, ordinance, rule and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety and general welfare shall prevail.

Subsection 4. The Planning and Zoning Department shall be responsible for the administration and enforcement of this ordinance. Its duties shall include, but not limited to the following:

- A) To review and consider all license applications submitted to the County Board for operation of waste facilities within the County, and after consideration, to recommend to the County Board that a license be granted or denied.
- B) To make on-site inspections of waste facilities as herein provided, and to investigate complaints of violations of this ordinance.
- C) To recommend, when necessary, to the County Attorney's Office that legal proceedings be initiated against a certain facility to compel compliance with the provisions of this ordinance or to abate the operations of the same.
- D) To encourage and conduct studies, investigations and research relating to aspects of waste disposal such as methodology, chemical and physical considerations, and engineering.
- E) To advise, consult, and cooperate with other governmental agencies in the furtherance of the purposes of this ordinance.

#### SECTION X - VIOLATIONS AND PENALTIES

Subsection 1. Misdemeanor: Any person who fails to comply with the provisions of this ordinance may be charged with a misdemeanor and upon conviction thereof shall be punished therefore as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Subsection 2. Equitable Relief: In the event of a violation or a threat of violation of this ordinance, the Pope County Attorney may take appropriate action to enforce this ordinance including application for injunctive relief, action to compel performance or other appropriate action in District Court, if necessary, to prevent, restrain, correct or abate such violations or threatened violations.

Subsection 3. Costs as Special Assessment: If a licensee, owner, or operator of a waste facility fails to comply with the regulations in this ordinance, Pope County may take the necessary steps to correct such violations or terminate the facility and the costs thereof may be recovered in a civil action or may be certified, at the discretion of the County Board, to the Pope County Auditor as a special assessment against real property.

Subsection 4. Suspension of License: Any license issued pursuant to this ordinance may be suspended for not longer than sixty (60) days by the County Board for violation of any provision of this ordinance. Suspension shall not occur earlier than ten (10) calendar days after written notice of suspension has been personally served on the licensee, or, if a hearing is requested, until the written decision of the Board has been served on the licensee by registered mail. Such written notice

- 8) The decision of the County Board shall be based on the evidence presented at the hearing before the County Board or on the Findings of Fact, Conclusions of Law and Recommendations of the hearing officer.
- 9) If the applicant or licensee fails to appear at the hearing, he shall forfeit any right to a public hearing before the County Board or the hearing officer.
- 10) Any applicant or licensee aggrieved by a decision of the County Board shall have the right to appeal to the District Court in the County of Pope on questions of law and fact within 30 days of the date of the decision.

Subsection 7. Removal of Suspension: In the case of a suspension, upon written notification from the licensee that all violations for which the suspension was invoked have been corrected, the Planning and Zoning Department shall reinspect the site or facility within five (5) working days after receipt of the notice for the licensee. If the Planning and Zoning Department finds on such reinspection that the violations constituting the grounds for suspension have been corrected, the Planning and Zoning Department shall immediately terminate the suspension by written notice to the licensee and the County Board.

SECTION XI - SEPARABILITY

It is hereby declared to be the intention of the Board of Commissioners of Pope County that the several provisions of this ordinance are separable in accordance with the following:

Subsection 1. If the court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

Subsection 2. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular structure, site, facility or operation, such judgment shall not affect the application of said provision to any other structure, site, facility or operation not specifically included in said judgment.

SECTION XII - PROVISIONS AND ACCUMULATIVES

The provisions in this ordinance are accumulative and additional limitations upon all other laws and ordinances heretofore passed or which may be passed hereafter, covering any subject matter in this ordinance.

SECTION XIII - NO CONSENT

Nothing contained in this ordinance shall be deemed to be a consent, license, or a permit to locate, construct or maintain a site, facility or operation, or to carry on any activity.

SECTION XIV - EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication according to law.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF POPE COUNTY THIS 7<sup>th</sup>  
DAY OF December 1983



ATTEST:

Bill Payne  
County Auditor

James M. Walker  
Chairman - Pope  
County Board of Commissioners

APPROVED AS TO FORM AND EXECUTION:

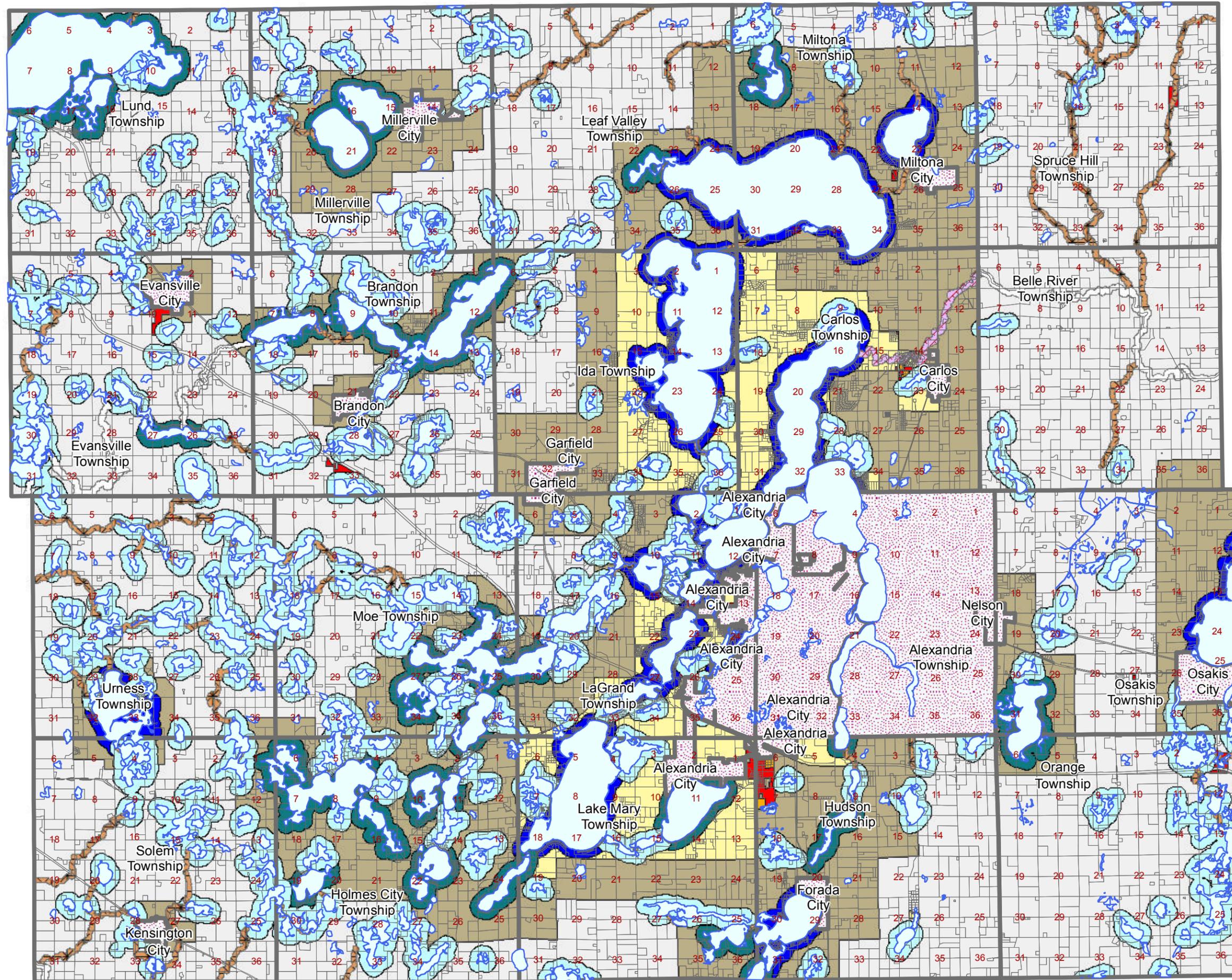
\_\_\_\_\_  
County Attorney

## **Attachment C - Unacceptable Waste**

**Acceptable Waste**- Any Materials that are found in MMSW that are not specifically banned or listed Unacceptable Waste.

**Unacceptable Waste** - Any objects or mixed municipal solid waste loads of a size or nature that cannot be physically accommodated by the Combustion Units or Material Recovery Facility including but not limited to Hazardous Waste; explosive waste; liquid waste of any type in large quantities; radioactive waste; steel banding; animal remains in large quantities; paint and solvents; gasoline and inflammable liquids; used auto oil; propane tanks; aerosol cans; hospital waste which is infectious, inflammable or toxic; human remains; tires in large quantities (in single loads); large car parts, including gasoline tanks, hardened steel shafts, engine blocks and steel wheels; large metal items; steel fence materials; large wood items; demolition or building waste including sheetrock; pesticides, insecticides, chemicals, or other toxic materials (when not normally in residential or commercial waste); PVC plastics (in large quantities such as waste from a plastic plant); electronic waste (e waste); appliances; yard waste such as leaves, grass, or branches; mattresses; and any other material required by any governmental agency or unit having appropriate jurisdiction to be disposed of at specifically designed, constructed, and licensed or permitted disposal facilities.

# Douglas County Zoning Map



- Legend**
- DNR Water
  - Jurisdictions
  - Parcels
- ZONING**
- ZONE\_TYPE**
- TRANSITION-WC
  - AGRICULTURAL-WC
  - TRIBUTARY-WC
  - NES
  - RDS
  - GDS
  - Commercial
  - Industrial
  - Residential
  - Rural\_Residential
  - Agricultural
  - Municipality



Douglas County makes no representation or warranty, express or implied, with regard to the use of data provided herein. Regardless of the format or the means of its transmission, THE DATA ARE PROVIDED "AS IS" WITH NO GUARANTEE OR REPRESENTATION ABOUT THE ACCURACY, CURRENTNESS, SUITABILITY, PERFORMANCE, MERCHANTABILITY, RELIABILITY, CONTINUED USE, OR FITNESS FOR ANY PARTICULAR PURPOSE. Douglas County shall not be liable for any direct, indirect, special, incidental, consequential or other damages or third party claims resulting from the use of these data, even if Douglas County has been advised of the possibility of such potential loss or damage. These data may include, but are not limited to, the location or delineation of land parcels or other geographical features.

# OFFICIAL ZONING MAP\*

\*This map is for general reference purposes only and should not be relied on for final determination of zoning district boundaries. It includes rezoning revisions as approved by the Pope County Board of Commissioners.

## Legend Pope County Zoning Districts

- General Zones**
- Residential (R)
  - Non-Intensive Agriculture (A-1)
  - Agriculture Protection (A-2)
  - Industrial (I)
  - Commercial (C)
- Specific & Shoreland Zones**
- Special Protection (SP)
  - Special Residential (SR)
  - Special Commercial (SC)
  - Shoreland-General Development (S-GD)
  - Shoreland-Recreational Development (S-RD)
  - Shoreland-Natural Environment (S-NE)
  - Shoreland-Rivers and Streams (S-RS)
- Pre-1999 Rezoning**
- Residential Overlay
  - Commercial Overlay
  - General Use Overlay
- Not Subject to County Zoning**
- Municipalities
- Public Water Inventory (PWI)**
- Public Water Watercourse
  - Public Ditch/Altered Natural Watercourse
  - Public Water Basin
  - Public Water Wetland



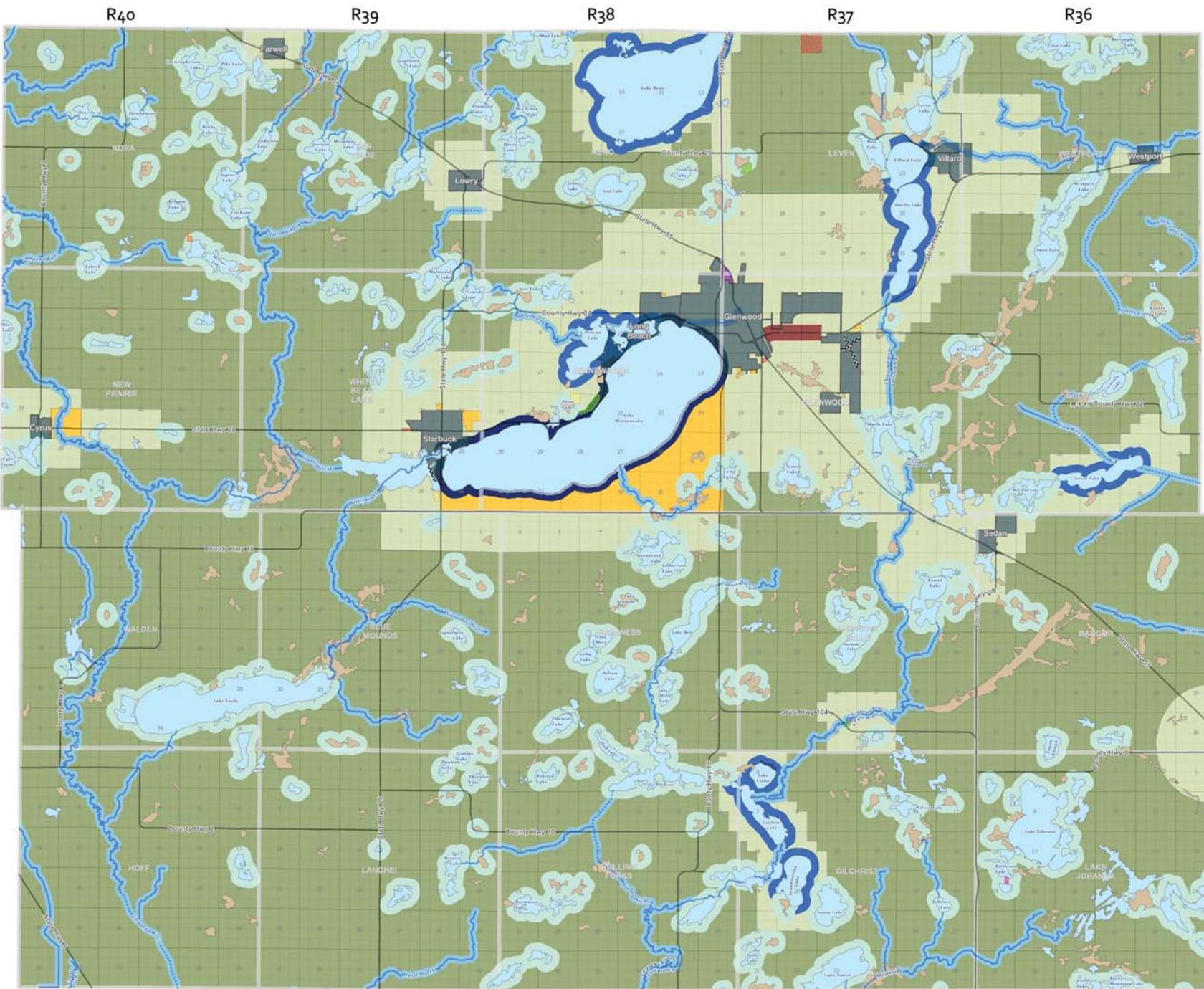
0 0.5 1 2 3 4 Miles

Scale 1:49,751



Publish Date: 1/7/2020

Spatial Reference:  
Datum: NAD 1983 HARN Adj MN Pope  
Projection: Lambert Conformal Conic



Adopted with Revisions  
7 January 2020

*Gordy Wagner*  
Chairman Gordy Wagner, Pope County Board of Commissioners

*Kersten Kappmeyer*  
Kersten Kappmeyer, Pope County Coordinator