

Tony Hennen

Please find attached pdf containing Morrison County's comments on the Pope/Dougals SWMP.

Respectfully,

Tony Hennen, PE
Morrison County Public Works Director



Morrison County will provide cost effective, high quality services to County residents in a friendly and respectful manner.

County Engineer
Public Works Director
TONY HENNEN, P.E.
Public Works Department
213 1st Avenue SE
Little Falls, MN 56345-3196
320-632-0121
Toll Free: 1-866-401-1111
Fax: 320-632-9510

February 01, 2023

Minnesota Pollution Control Agency
c/o David Crowell
7678 College Rd, Ste 105
Baxter, MN 56425-8625

Minnesota Pollution Control Agency
c/o Heidi Ringhofer
525 Lake Ave S, Ste 400
Duluth, MN 55804

RE: Pope/Douglas Solid Waste Management Plan 2023—2033 – Public Comment

Morrison County values our regional cooperation with Pope/Douglas Solid Waste Management and has vested interest in the Pope/Douglas Solid Waste Management Plan as a direct receiver of Solid Waste generated in Pope and Douglas Counties.

It is imperative that the Pope/Douglas SWMP accurately reflect historic waste disposal and uses this historical data to determine the most accurate demands for future disposal. This estimate allows all partners to plan and permit accordingly. Morrison County formally requests Pope/Douglas submit an updated SWMP after considering the following primary points:

Certificate of Need for the Morrison County Landfill noted in the December 16, 2021 letter indicates MSW tonnage to be sent to Morrison County exceeds quantities listed in the SWMP.

The MPCA issued Certificate of Need for Morrison County indicates quantities received from Pope and Douglas counties exceeds quantities listed in the SWMP.

The past three years Pope/Douglas Counties have exceeded estimated tonnages delivered to the Morrison County Landfill and show a stable trend of continued use (2020: 6677.33 Ton; 2021: 6877.20 Ton; 2022: 6616.56 Ton).

This data validates the CON issued from both Pope/Douglas and the MPCA. Morrison County would like this considered and incorporated in an updated Pope/Douglas SWMP. Morrison County continues to value our regional cooperation and intends to create a partnership that lasts well beyond the 10 years outlined in the Pope/Douglas SWMP.

Respectfully,

Tony Hennen, P.E.
Morrison County Public Works Director

Enclosures: Draft Pope-Douglas SWMP GVT, MPCA CON Issuance, Pope-Douglas CON Letter

CC: Steve Vrchota, Nathan Reinbold, Douglas County Board of Commissioners,
Pope County Board of Commissioners, Drew Hatzenbihler, Morrison County Board of Commissioners

Pope/Douglas Solid Waste Management

Solid Waste Plan – 2023-2033



Final Plan Prepared by:
Steve Vrchota, Executive Director, steve@popedouglasrecycle.com
Nathan Reinbold, Environmental Programs Manager, nathan@popedouglasrecycle.com

Pope/Douglas Solid Waste Management
2115 Jefferson Street, Alexandria, MN 56308
320-763-9340

APPENDIX A

GOAL VOLUME TABLES

DRAFT





Instructions: Please copy and past the file sent to you by your MPCA Solid Waste Planner in the fields below. Only fill out the **yellow-highlighted fields**. Please email this completed form to your MPCA Solid Waste Planner.

Copy and paste the GVT file in the table below.

MSW Forecast

[illegible]

| | |
|-------------|-----|
| Residential | 35% |
| C/I/I | 65% |

[illegible]



520 Lafayette Road North
St. Paul, MN 55155-4194

County goal volume table template for solid waste planning

Non-MMSW/Industrial Waste Projections (in Tons)

| Year | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
|------------------------------|----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Industrial | 17945.84 | 17950 | 17950 | 17950 | 18000 | 18000 | 18000 | 18000 | 18000 | 18000 |
| Construction & Demolition | 25,500 | 25,500 | 22,500 | 22,500 | 20,500 | 20,500 | 20,500 | 20,500 | 20,500 | 20,500 |



520 Lafayette Road North
St. Paul, MN 55155-4194

County goal volume table template for solid waste planning

Instructions: Please read "Overview and Instructions" tab prior to completing this form. Only fill out the **yellow-highlighted fields**. Please email this completed form to your MPCA Solid Waste Planner.

If you have any questions please see the Contact information tab below for contact information.

Solid Waste

Year

| Mangement Method | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Recycling | 15,699 | 15,780 | 17,714 | 17,747 | 17,766 | 17,785 | 17,804 | 17,823 | 17,842 | 17,853 |
| Organics | 4,826 | 4,838 | 4,850 | 4,861 | 4,868 | 4,874 | 4,881 | 4,888 | 4,894 | 4,898 |
| Combined Recycling Rate | 44% | 44% | 49% | 49% | 49% | 49% | 49% | 49% | 48% | 48% |
| Waste-to-Energy (minus recyclables and nonprocessibles) | 25,065 | 25,084 | 23,249 | 23,315 | 23,351 | 23,388 | 23,425 | 23,462 | 23,498 | 23,520 |
| Pope Douglas Solid Waste Management | 27,137 | 27,203 | 27,269 | 27,335 | 27,372 | 27,409 | 27,446 | 27,483 | 27,520 | 27,542 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| Landfill | 438 | 438 | 439 | 441 | 442 | 442 | 442 | 442 | 444 | 444 |
| Morrison County Solid Waste Management Facility - SW-15 | 438 | 438 | 439 | 441 | 442 | 442 | 442 | 442 | 444 | 444 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| Capacity Used | 461 | 461 | 462 | 464 | 465 | 465 | 465 | 465 | 467 | 467 |
| On-site Disposal | 210 | 210 | 210 | 210 | 210 | 210 | 210 | 210 | 210 | 210 |
| Total MSW Generated | 46,238 | 46,350 | 46,462 | 46,574 | 46,637 | 46,699 | 46,762 | 46,825 | 46,888 | 46,925 |

Recycling by sector (excluding WTE)

| 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
|------|------|------|------|------|------|------|------|------|------|
|------|------|------|------|------|------|------|------|------|------|



for solid waste planning

| | | | | | | | | | | |
|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Residential | 4,846 | 4,858 | 4,870 | 4,881 | 4,888 | 4,895 | 4,901 | 4,908 | 4,915 | 4,919 |
| C/I/I | 9,000 | 9,022 | 9,044 | 9,066 | 9,078 | 9,090 | 9,103 | 9,115 | 9,127 | 9,134 |

| Organics by sector | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
|--------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Residential | 1,689 | 1,693 | 1,698 | 1,701 | 1,704 | 1,706 | 1,708 | 1,711 | 1,713 | 1,714 |
| C/I/I | 3,137 | 3,145 | 3,153 | 3,160 | 3,164 | 3,168 | 3,173 | 3,177 | 3,181 | 3,184 |

[illegible]

Landfilling

Select facility and enter **percentage** of landfilled material sent to the facility for each year

[illegible]

[illegible]

Select facility and enter **amount in tons** of material sent to the facility for each year

[illegible]



If you have any questions please see the Contact information tab below for contact information.

[illegible][illegible]

**STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY**

**In the Matter of the Request for
a Certificate of Need for Land Disposal Capacity
for the Morrison County Landfill**

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

Based on the request for a certificate of need (CON) submitted by the Morrison County Landfill (Landfill) located in Morrison County, Minnesota, on the Minnesota Pollution Control Agency (MPCA) staffs' review of the request, and on other information in the records of the MPCA, the MPCA Commissioner makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

A. CON statutory authority

1. The MPCA, a statutory agency of the State of Minnesota, has authority to issue a CON under Minn. Stat. § 115A.917.
2. Minn. Stat. § 115A.917 provides that no new capacity for disposal of mixed municipal solid waste (MMSW) may be permitted in counties outside the metropolitan area without a CON issued by the Commissioner of the MPCA, indicating the Commissioner's determination that additional disposal capacity is needed in the county.
3. Minn. Stat. § 115A.917 provides that a CON may not be issued until the county has a Solid Waste Management Plan (Plan) approved by the Commissioner of the MPCA under Minn. Stat. § 115A.46.
4. Minn. Stat. § 115A.917 states that the commissioner shall certify need only to the extent that there are no feasible and prudent alternatives to the additional disposal capacity, including waste reduction, source separation, and resource recovery, that would minimize adverse impacts upon natural resources. Alternatives that are speculative or conjectural are not feasible and prudent. Economic considerations alone do not justify the certification of need or the rejection of alternatives.
5. Minn. R. 9215.0890 – 9215.0950 apply to requests for and review of requests for CON.
6. Minn. R. 9215.0890 provides that the MPCA shall review requests for a CON submitted by an applicant of a proposed or existing disposal facility within 90 days of submittal of a completed request.
7. Minn. R. 9215.0900, subp. 2 provides that a request for a CON shall include estimates of the amount and type of solid waste to be managed annually at the facility during its design life.
8. Minn. R. 9215.0900, subp. 3 provides that a request for a CON shall include identification of the origin of the solid waste including estimates of the amount of solid waste to be received

annually from each county or district of origin. Information about quantities of solid waste from counties or districts outside the metropolitan area shall be based on information in approved county Plan. If an approved county or district Plan does not state that solid waste from a county or district will be managed at the proposed facility, the request shall include a letter from the county or district board of the county or district generating the solid waste indicating that in the county's or district's best estimate the amount of solid waste in question is available for management at the proposed facility. The letter must be consistent with the approved Plan.

9. Minn. R. 9215.0900, subp. 4 provides that a request for a CON shall include an analysis of alternatives to the new or expanded disposal capacity if the new capacity has not been included in the approved county Plan or county Master Plan.
10. Minn. R. 9215.0900, subp. 5 provides that if the amount of new capacity needed is greater than the amount in the approved plan due to erroneous assumptions concerning the amount of solid waste generated, the CON Request must document the basis for calculating the amount of capacity needed in lieu of an analysis of alternatives.
11. Minn. R. 9215.0930 provides that the MPCA shall make a final decision on a request for a CON within 90 days after determining that a request is complete or after holding a public informational meeting if a public meeting is held pursuant to Minn. R. 9215.0910.

B. CON request

12. On March 25, 2022, and July 15, 2022, the MPCA received an incomplete CON request from the Landfill. On October 3, 2022, a complete CON request was received for 619,987 cubic yards (cy) of new MMSW disposal capacity for the Landfill.
13. The Landfill is owned by Morrison County and is located at 17502 Iris Road, Little Falls, Minnesota.
14. Currently, the Landfill is permitted to accept MMSW, contaminated soils and industrial waste as described in the Landfill's permit under MPCA Permit SW-15.
15. The CON request states that the additional MMSW landfill capacity would serve Morrison, Todd, Douglas, and Stearns counties.
16. The Landfill CON request form estimates the landfill will receive 619,987 cy or 258,700 tons of MMSW for years 2022-2031 from the following counties:

Morrison County 389,565 cy
Douglas County 76,623 cy
Stearns County 32,674 cy
Todd County 121,125 cy
17. The MPCA has approved Solid Waste Management Plans (Plans) for Morrison, Douglas, Stearns, and Todd counties under Minn. Stat. § 115A.46.

18. The CON request form submitted is consistent with the approved Morrison County Plan. The Plan states that the MMSW generated in Morrison County will be managed at the Landfill.
19. Douglas, Stearns, and Todd counties have MPCA approved Plans which identify the Landfill as one of the landfills that may receive MMSW generated in the listed counties.
20. The MPCA reviewed and compared the estimated MMSW tonnage to the Landfill contained in the CON request form and the approved Stearns' Plan and found it to be consistent.
21. The MPCA reviewed and compared the estimated MMSW tonnage to be sent to the Landfill contained in the CON request form and the approved Morrison, Douglas, and Todd counties Plans and found them to be inconsistent.
22. Morrison County provided estimates of future disposal needs of their service based on historical data concerning the amount of solid waste generated which was more accurate than their Plan.
23. Douglas and Todd counties provided county board approved MMSW estimates of future disposal needs of those service areas based on historical data concerning the amount of solid waste generated which was more accurate than their Plans. The numbers are consistent with the CON Request.

C. Need for additional disposal capacity

24. Minn. Stat. § 115A.917 provides that no new capacity for disposal of MMSW may be permitted in counties outside the metropolitan area without a CON issued by the commissioner of the MPCA, indicating the Commissioner's determination that additional disposal capacity is needed in the county.
25. Minn. R. 9215.0900, subp. 3 provides that estimates of the amount of solid waste to be received annually from each county or district outside the metropolitan area shall be based on information in approved county Plan.
26. Minn. R. 9215.0900, subp. 5 provides that if the amount of new capacity needed is greater than the amount identified in the approved plan due to erroneous assumptions concerning the amount of solid waste generated, the application must document the basis for calculating the amount of capacity needed in lieu of an analysis of alternatives.
27. The MPCA has approved a Plan for Morrison County for a period of 10 years, beginning June 23, 2017, under Minn. Stat. § 115A.46.
28. The MPCA has approved a Plan for Douglas County, which is submitted as the Pope/Douglas County Plan, for a period of 10 years, beginning March 13, 2013, under Minn. Stat. § 115A.46.
29. The MPCA has approved a Plan for Stearns County for a period of 10 years, beginning February 7, 2022, under Minn. Stat. § 115A.46.

30. The MPCA has approved a Plan for Todd County for a period of 10 years, beginning December 15, 2020, under Minn. Stat. § 115A.46.
31. Annual reports to the MPCA from the Landfill indicate that MMSW generated within Morrison, Douglas, Stearns, and Todd Counties is disposed at the Landfill.
32. Annual reports to the MPCA from the Landfill also indicate the volume of waste disposed annually is consistent with projections in the Stearns County Plan Goal Volume Table and consistent with the estimates provided in the CON request and letters submitted by Morrison, Douglas, and Todd counties.
33. The existing CON for the Landfill expires December 31, 2022.
34. The density of a cubic yard of waste placed and compacted in the Landfill was estimated by the Landfill in the CON request as 1232 lbs./cubic yard in place by averaging five years of waste densities from 2016-19 and 2021. The year 2020 was not included due to an increase in waste density based on increased leachate recirculation. The CON request estimates 381,912 tons of MMSW will be generated in the ten-year period of the CON request. Based on the compaction rate of 1232 lbs./cubic yard, that equals 619,987 cubic yards available for management at the landfill.
- 35.

D. Feasible and prudent alternatives

- Minn. Stat. § 115A.917 states that the commissioner shall certify need only to the extent that there are no feasible and prudent alternatives to the additional disposal capacity, including waste reduction, source separation, and resource recovery, that would minimize adverse impacts upon natural resources. Alternatives that are speculative or conjectural are not feasible and prudent. Economic considerations alone do not justify the certification of need or the rejection of alternatives.
36. Minn. R. 9215.0900, subp. 4 states that the request shall include an analysis of alternatives to the new or expanded disposal capacity if the new capacity has not been included in the approved county solid waste management plan of county master plan.
 37. Minn. R. 9215.0900, subp. 5 states that estimate errors. If the amount of new capacity needed is greater than the amount identified in the approved plan due to erroneous assumptions concerning the amount of solid waste generated, the application must document the basis for calculating the amount of capacity needed in lieu of an analysis of alternatives.
 38. No analysis of alternatives is required in the CON request as they are included in the MPCA approved Plans for Morrison, Douglas, Stearns, and Todd counties. The basis for the additional capacity has been documented in the CON request.

CONCLUSIONS OF LAW

1. The MPCA has jurisdiction to review and issue a CON under Minn. Stat. § 115A.917.
2. Morrison County has a Plan approved by the Commissioner of the MPCA under Minn. Stat. § 115A.46.
3. Based on the CON request and further review by staff, additional disposal capacity is needed for Morrison, Douglas, Stearns, and Todd counties.
4. The CON request and Plans demonstrate that there are no feasible and prudent alternatives to the requested additional MMSW disposal capacity.
5. Any 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. § 115A.917, the issuance of a CON for 619,987 cubic yards of new MMSW landfill disposal capacity for the period beginning November 7, 2022, at the Morrison County Landfill is APPROVED. Any previously approved remaining CON is therefore revoked; the total CON available to the Landfill is 619,987 cubic yards.

IT IS SO ORDERED

**STATE OF MINNESOTA
POLLUTION CONTROL AGENCY**

Tim Farnan

This document has been electronically signed.

Timothy Farnan
MPCA Supervisor, Planning and Assistance Unit

November 7, 2022

Date signed



2115 JEFFERSON ST
ALEXANDRIA, MN 56308
OFFICE: 320-763-9340
1-800-972-6318
FAX: 320-763-9342
www.popedouglasrecycle.com

December 16, 2021

Steve Backowski
Morrison County Public Works
213 SE 1st Ave
Little Falls, MN 56345-3196

RE: Certificate of Need (CON) for Morrison County Landfill

Dear Steve,

Pope/Douglas Solid Waste Management (PDSWM) understands that Morrison County is applying for a Certificate of Need (CON) from the Minnesota Pollution Control Agency (Agency). PDSWM understands that part of the application process will require estimated waste volumes from Pope and Douglas Counties in order to properly prepare for any expansion needs at your landfill facility.

PDSWM values your regional cooperation and willingness to accept bypass waste items that are generated from the PDSWM Resource Recovery Facility operations that cannot be recycled or processed.

Currently, bypassed items are transferred out of the Douglas County Demo Landfill, owned and operated by Alex Rubbish & Recycling out of Alexandria.

Regarding the provided projections outlined in the October 15, 2021, letter; Pope and Douglas Counties respectfully disagrees with the projections, based on three primary points.

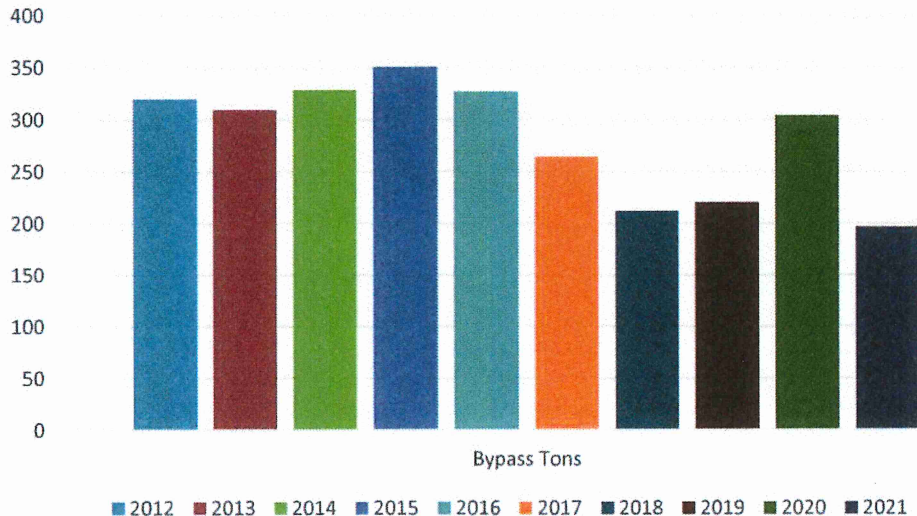
1. PDSWM bypass waste from Resource Recovery Facility. Currently, bypass waste is transferred by Alex Rubbish & Recycling from the PDSWM site to their owned and operated, Douglas County Demo Landfill. Reference chart below that tracks bypass from PDSWM to the Morrison County MSW Landfill. PDSWM used 2012 as the starting point of reference, since that was the last CON request submittal from PDSWM to Morrison County – letter dated December 26, 2012. At that time approximately 2,800 tons of material was estimated on an annual basis. The chart below is in tons.



SOLID WASTE MANAGEMENT

2115 JEFFERSON ST
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Bypass Tons from PDSWM taken to Douglas County Demo and transferred to Morrison County Landfill



- Population Growth Projections. We do not see our MSW generation rate growing faster than our population projections – not to exceed 1.5% annually and based on our PDSWM Waste Designation Plan (2021).
- Waste Designation and Hauler Delivery Contracts. We were unaware of the large amount of Pope/Douglas – county generated tons that continue to go to the Morrison County Landfill. As part of our Waste Designation Plan and current hauler delivery contract negotiations, especially relating to Douglas Demo Landfill and Alex Rubbish & Recycling, they will be required via contract and/or Waste Designation Ordinance to deliver all acceptable items for recycling and processing at the PDSWM Resource Recovery campus in Alexandria.

In discussions with the Douglas County Demo Landfill, it appears that some C&D material is getting classified as MSW and that was not in our original model (current PDSWM Solid Waste Plan) that predicted landfill tonnage around 2000 ton per year. As part of the Designation Ordinance and Hauler Delivery Contracts, all haulers and facilities will need to manage any and all tipping floors as to divert only items that PDSWM cannot process or recycle to a landfill.

Considering that information, PDSWM estimates the following MSW tonnage will be sent to the Morrison County MSW Landfill over the next ten years in the following amounts.

2022 – 6,600
2023 – 6,600 + (1,000 due to PDSWM MRF Construction/Downtime) = 7,600
2024 – 5,000
2025 – 4,000
2026-2031 – 4,000 per year



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We can discuss, but based on our review of the materials that are currently going to Morrison County, we believe these are reasonable values.

If you have any questions regarding the Pope/Douglas Solid Waste Management projection estimations or need additional assistance, please contact Steve Vrchota, Pope/Douglas Solid Waste Management Director.

Sincerely,

Paul Gerde
Chair
Pope/Douglas Solid Waste Management Board