

City of Inver Grove Heights, Minnesota

Ms. Kabele,

Please see the attached memo from the City of Inver Grove Heights. This letter provides the City of Inver Grove Heights' comments on the EAW for the Pine Bend Landfill Phase 7 Vertical Expansion Project that was published for public review on October 31, 2023 in the Environmental Quality Board Monitor.

Thank you for the opportunity to provide comments and recommendations on the EAW. The City appreciates your consideration of the recommendations and looks forward to your reply. If the MPCA has any questions, please contact me at 651-604-8511 or asutherland@ighmn.gov.

Thank you,

Ally Sutherland | Environmental Specialist

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November 28, 2023

Ms. Megen Kabele
Planner Principal
Resource Management and Assistance Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St Paul, MN 55155

**Re: City of Inver Grove Heights' Public Comments on Pine Bend Landfill's
2023 Environmental Assessment Worksheet (EAW) for Request for Major
Modification of Permit #SW-45**

Dear Ms. Kabele:

This letter provides the City of Inver Grove Heights' comments on the EAW for the Pine Bend Landfill (PBL) Phase 7 Vertical Expansion Project (Project) that was published for public review on October 31, 2023 in the Environmental Quality Board Monitor. The Project proposes an airspace capacity expansion over the existing landfill footprint by raising the permitted peak elevation and extending the existing 3:1 (horizontal : vertical) side slopes. This vertical expansion is designated as Phase 7.

These comments were developed by Barr Engineering Co. (Barr). The City requests that the MPCA consider incorporation of these recommendations into the final EAW. These recommendations will also be shared with Pine Bend Landfill and Dakota County.

The City requests that the MPCA respond to this letter and address the comments detailed below. The City also recommends that PBL identify and provide environmental benefits to offset potential negative environmental impacts from the proposed expansion.

As detailed in comments #20-#22 below, it should be noted that PBL will need to obtain approvals from the City of Inver Grove Heights to allow the proposed expansion in the form of amendments to the Conditional Use Permit, Non-Conforming Use Certificate, Zoning Ordinance, and a Host Community Agreement. The EAW should be clear that the proposed expansion is not currently approved by the City of Inver Grove Heights. It is the City's understanding is that the MPCA will not reissue the solid waste permit until these City approvals are complete.

The City believes the following are the most significant potential environmental impacts relating to the existing landfill and proposed expansion. Please address the following:

1. **Subsurface gas migration near or beyond the property line:** While the EAW discusses existing subsurface gas migration, it does not address how the proposed expansion would affect that. The EAW should address if and how the proposed expansion would affect subsurface gas migration.

2. **Groundwater contamination, including concentrations exceeding some Intervention Limits listed in the MPCA's Solid Waste Permit.** These include some metals, VOCs, and PFAS. While the EAW addresses existing groundwater contamination, it does not address how the proposed expansion would affect that. The EAW should describe if and how the proposed expansion would affect groundwater contamination.
3. **Expansion Visual, Page 58:** Because PBL is currently visible from some of the nearby residences and PBL is proposing to significantly increase the landfill height (85 feet), we believe that 3D visualization modeling figures are imperative to show the existing, currently permitted, and proposed conditions from various locations near PBL (including the residential area to the north) to fully evaluate the visual effects of the proposed expansion. Please provide.
4. **Wildlife impacts:** Although the footprint will not change, will birds be more attracted to the proposed increased landfill height? If so, how will wildlife be deterred from the site? Please address this issue.
5. **Public nuisance:** The effects on odor, litter, dust, and noise expected from the proposed increased height of the landfill should be evaluated in the EAW. Will odor, dust, and noise carry further than is occurring with the existing landfill? Please evaluate this.

The City has additional technical recommendations on the EAW. Please address the following:

6. Page 6, Table 1 Historical Leachate Collection Data. Years 2017 through 2020 do not match the number of gallons of leachate found in PBL's annual reports. Please correct or explain.
7. Page 6, Final Cover Design. The third sentence indicates that "This design provides for increased capacity without increasing site footprint or elevations..." This is incorrect, elevation will be increased. Please correct.
8. Page 7, Peak Run-off. The last sentence referring to the 100-year high water level appears to be referring to the stormwater ponds. Please clarify this sentence.
9. Page 8, Bend and Drainage Swale Design. The last sentence, "Runoff contained during..." is not a complete sentence. What is intended here? Please correct.
10. Page 8, Junction Vaults. The paragraph indicates that downslope piping is on the northeast corner of the permitted design, but the last word indicates it is on the northwest. Please correct or explain.
11. Page 9, Landfill Gas Management. PBL has done significant work to try to resolve the migration of subsurface gas near or beyond the property boundary. Please include a summary of this work.
12. Page 9, Landfill Gas Management, Background. Second paragraph, last sentence reads, "The Facility has an MPCA-approved gas collection and monitoring system to meet regulatory standard and to address concerns with migration of combustible gas." Although PBL has been trying to resolve this problem for years, this sentence is misleading because subsurface landfill gas is migrating near or beyond the property

boundary at concentrations above the LEL, so the regulatory standard is not being met. Please correct.

13. Page 9, Landfill Gas Management, Existing and Future Extraction Wells. The middle of the first paragraph indicates that the annular space between the outer pipe and the well casing will be sealed. However, the gas well design (Appendix B, Sheet 14) does not appear to have inner and outer pipes. Please correct or explain.
14. Page 10, Landfill Gas Management, Renewable Natural Gas Pipeline and RNG Facility. The first paragraph, second to last sentence indicates that the facility is “preliminary”, but we understand that the RNG facility is in operation. Please correct or explain.
15. Page 10, Landfill Gas Management, Renewable Natural Gas Pipeline and RNG Facility. The first paragraph, last sentence reads “The meter station in the northwest portion of the site will be the start of the pipeline that is the subject of this Application.” What “Application” is being referred to here. Please correct or explain.
16. Page 11, Phased Closures, the second sentence reads “Prior to final closure and installing the final cover system, I waste fill surface...” What is meant by this sentence. Please correct or explain.
17. Page 11, Phased Closures, Significant demolition, removal, or remodeling of existing structures. It is stated that there will be no demolition, removal, or remodeling of existing structures, however, we understand that the administration building, scale, and related structures will need to be relocated prior to constructing Cell F-2. Please explain or correct.
18. Pages 18 and 19 indicate that the U.S. EPA’s Climate Resilience Evaluation and Awareness Tool (CREAT) was reviewed to evaluate storm intensification for the local area. The evaluation indicated that the “Stormy” scenario, the highest intensity model, projects the 100-year storm to increase 13.7 percent in 2035 and 26.6 percent in 2060 for the local area. We understand that the stormwater management infrastructure is based on the NOAA Atlas 14, 100-year, 24-hour storm event of 7.43 inches but it appears that the design should be based on a larger storm event as predicted by CREAT. Please explain.
19. Page 36, first paragraph and table 7 indicate that the Project will convert 89 acres from “Other (active landfill)” to “Lawn/landscaping, Final cover will be vegetated”. Although this is accurate, please clarify that this conversion of cover types will occur with or without the proposed vertical expansion Project. Also clarify that this Project will delay when this cover conversion takes place.
20. Page 37, Table 10 Permits and Approvals. The table indicates that a Conditional Use Permi application is required to be submitted to the City of Inver Grove Heights, however, the applicant will also be required to submit an application for amendments to the Non-Conforming Use Certificate, Zoning Ordinance, and Host Community Agreement. Please add these to the table.
21. Page 39, Section 10.b. first paragraph. The third sentence is incorrect, PBL will have to request a City zoning ordinance amendment. Please correct.
22. Page 39, Section 10.b, second paragraph, second sentences reads, “Therefore, the Project is allowable through a Conditional Use Permit (“CUP”). However, the Project is not

- currently “allowable”, and the EAW should made clear that the City of Inver Grove Heights would need to go through a public process prior to any approvals. Please correct.
23. Page 44, Section ii, Groundwater, fourth sentence reads in part, “If the Proposer observes groundwater quality impacts during monitoring, they will closely coordinate with the MPCA to develop appropriate actions...” The use of the word “If” is misleading because there are decades of groundwater data indicating that PBL has negatively impacted downgradient groundwater quality. Please explain or correct.
 24. Page 44, Section ii, Groundwater, does not include the Minnesota Department of Health Special Well Construction Area (Inver Grove Heights (Pine Bend Area) Special Well and Boring Construction Area - MN Dept. of Health (state.mn.us)) located east (downgradient) from PBL. Please include a description and figure of this area or explain.
 25. Page 44, Groundwater, Onsite and/or nearby wells. The second sentence indicates that the majority of public supply wells are east of the Project Area. However, it appears that only one public supply well is shown on Figure 10. Please add a figure showing a larger area where more public supply wells may be present or explain.
 26. Page 44, Groundwater, Table 13 MDH Wells within Pine Bend Landfill. Not all of PBL’s monitoring wells are listed in this table including wells 11A, 15, 23, and others. Please correct or explain.
 27. Page 44, Groundwater, Table 13. Some wells are listed as “Monitoring Well”, and some are listed as “Test Well”. Please add a definition of what these designations mean.
 28. Page 46, Perfluoroalkyl substance analysis. The first sentence indicates that the July 2022 sampling event analysis is in Appendix D. It does not appear that these analyses are in Appendix D. Please correct or explain.
 29. Page 46, Perfluoroalkyl substance analysis. The second paragraph references the PFASs that have limits listed in the May 31, 2019 Solid Waste Permit. However, perfluorohexane sulfonate has an intervention limit of 0.01175 µg/L in the Solid Waste Permit but this is not included in the paragraph. Please correct or explain.
 30. Page 46, Perfluoroalkyl substance analysis. The second paragraph indicates that PFASs were detected above the limits in the May 31, 2019 Solid Waste Permit in 12 wells. However, the 2022 Annual Report indicates PFAS intervention limits were exceeded in 15 wells. Please correct or explain.
 31. Page 51, Section 14, see comment #4, requesting affects on wildlife.
 32. Page 51, Section 14. The harm to bald eagles that occurred in Inver Grove Heights in 2022 is still under investigation. If the investigation concludes that the harm was caused by the eagles having access to waste in Pine Bend Landfill, what will Pine Bend Landfill do to deter wildlife access to the waste? This should be addressed in the EAW.
 33. Page 58, Visual. This section refers to the “Rich Valley Landfill”, but for clarification and in accordance with Figure 11 this facility should be referred to as the “SKB Rich Valley Landfill”. Please correct.
 34. Page 58 Visual. See comment #3, requesting 3D visualization modeling.
 35. Page 61 Air. Vehicle emissions. The EAW states that the facility “currently accepts approximately 160 refuse trucks per day”. However, the MPCA’s workbooks supporting

the RNG minor amendment project and the Title V permit reissuance both report 131 vehicles/day. We suspect that the workbooks may be in error and that the 131 vehicles/day may actually be 131 vehicle miles traveled/day because the workbooks report 47,815 vehicle miles traveled/year which is 365 times 131. Please correct or explain.

36. Pages 62 and 63, Greenhouse Gas (GHG) Emission/Carbon Footprint. The GHG emissions reported in Tables 16 and 17 of the EAW match those in Appendix A of the GHG Assessment Report (attached as Appendix H to the EAW).. Appendix A, in turn, references the calculations in Appendix B of the GHG Assessment Report. However, there appears to be several errors converting tons to Mtons in the supporting workbook. Specifically, we believe the CO₂e (Mtons/yr) reported in Appendix A for the “RNG Plant”, “Waste Disposal Operations” and “Insignificant Operations” are incorrect. The total emissions from all sources should be 6,872,268.85 rather than 6,250,729.31 Mton/yr. The suggested edits are included in the following table. Please correct or explain.

Source Descriptions	Emission Sub-Type	Existing CO ₂ e Emissions (Mton/yr)	Calculation Methods
Flare	Combustion	110,860.76	Emission factors and info from 40 CFR 98 Subpart C
RNG Plant	Combustion	56,315.95 56,318.50	Emission factors and info from 40 CFR 98 Subpart C
Fugitive LFG	Fugitive	7,853.08	Emission factors and info from 40 CFR 98 Subpart C
Waste Disposal Operations	Combustion Mobile Sources	6,075,453.06 6,696,971.90	Emission factors and info from 40 CFR 98 Subpart C
Insignificant Operations	Combustion Mobile Sources	177.35 195.49	Emission factors and info from 40 CFR 98 Subpart C
Indirect Operations	Electrical Usage	69.12	Emission factors and info from 40 CFR 98 Subpart C
		6,250,729.31	
Total		6,872,268.85	

37. Page 66, Conformance to State Noise Standards - Construction Noise. The discussion notes that the city construction ordinance prohibits construction activity 10pm to 7am weekdays, and then notes the construction will follow a 6am to 4pm operations schedule. This appears to indicate that construction will not comply with the city construction ordinance. Please correct or explain.

38. Page 66, Quality of Life. Text notes “No construction or operation hours would occur during nighttime hours” Nighttime in noise regulation runs from 10pm to 7am. This is inconsistent with the proposed construction and operating hours of 6am to 4pm indicated in the preceding paragraph. Please correct or explain.

39. Page 69, Water Resources, Groundwater. First paragraph, fifth sentence reads in part, “If groundwater impacts are identified...” The use of the word “If” is misleading because there are decades of groundwater data indicating that PBL has negatively impacted downgradient groundwater quality. Please explain or correct.

40. Appendix B. Drawings 3, 4, and 5 are missing from the EAW published to the EQB monitor compared to the EAW published on the MPCA website. Please include or explain.
41. Appendix B through Appendix H. The flow of supplemental natural gas to the thermal oxidizer is reported as 160 scfm pre-project and 180 scfm post-project while the GHG emissions are reported to be identical for both pre- and post-project. We believe 160 scfm is correct. Please correct or explain.

Thank you for the opportunity to provide comments and recommendations on the EAW. The City appreciates your consideration of the recommendations and looks forward to your reply. If the MPCA has any questions, please contact City of Inver Grove Heights Environmental Specialist Ally Sutherland at 651-604-8511 or asutherland@ighmn.gov.

Sincerely,

CITY OF INVER GROVE HEIGHTS

- c: Ally Sutherland, City of Inver Grove Heights
- Abdi Hassan, MPCA
- Aaron Janusz, Republic Services
- Tyler Kraft, Republic Services
- Tom Shustarich, Stantec Consulting Services Inc.
- Terry Muller, Dakota County
- Dave Magnuson, Dakota County
- Bryan Pitterle, Barr Engineering Co.
- Jeff Ubl, Barr Engineering Co.
- Paul Taylor, Barr Engineering Co.