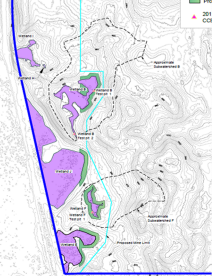


Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
1	Facility specific information	Notice of Availability on Scoping Environmental Assessment Worksheet (SEAW)	1	Ralph Collins email is wrong, should be rcollin4@wm.com, not "rcollins4@wm".	Need correct contact information for Facility contact.	
2		Notice of Availability on Scoping Environmental Assessment Worksheet (SEAW) and Draft Scoping Decision Document (DSDD)	2	NDA	Explain acronym.	
3		5. Project location	2	Typos on PIDs 30-00024-2200 and 30-00024-2201. Last PID listed in the group, should be omitted (30-00523-011)? It's missing the last digit.	Need correct PIDs for Project location.	
4		6.a. Project description	5	NDA	Explain acronym.	
5	Landfill Design	6.b. Project Description	5	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	What is not explained and not discussed is the rationale for use of an alternative geomembrane material (linear low-density polyethylene, LLDPE, textured) proposed for the new landfill liner system, although the material selection suggests accommodation of expected settlement, differential settlement and low shear strength conditions.	
6	Wetlands	6 b. Wetlands	8	Wetlands	Last sentence is incorrect. Only 0.25 ac. of wetland impacts were impacted for mining.	
7	Groundwater	6.b. Project Description	9	Groundwater pond created during mining requiring 33 million gallons of water per year.	Cite DNR permit # to allow this activity.	
8	Differential Settlement of "Piggyback" Landfill	6.b. Project Description	9	No evaluation of existing landfill conditions (waste age, composition, moisture, compaction) that influence settlement.	Lack/limited of discussion on operational controls (void prevention, hard spot mitigation) to prevent liner puncture. It is important to conduct geotechnical study of existing waste stability under new loading or clearly explain the findings.	https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-258
9	Landfill Design	6.b. Project Description	9	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	There is no discussion of the existing landfill settlement especially considering the previously placed waste age, composition, moisture, compaction, conditions of placement.	
10	Landfill Design	6.b. Project Description	9	The effect of the proposed landfill weight loading on the existing landfill under the piggyback configuration has not been considered and described.	Specific effects potentially detrimental to the existing landfill integrity include settlement and differential settlement effects on liner systems, closure cap systems, leachate collection systems, and landfill gas management systems, groundwater monitoring systems, and leak detection.	
11	Wetlands	6 b. Project Design	9	Project design and Wetlands	Figure 6 is referenced. Pre-project grading. The pre-project grading footprint is not approved from a wetland standpoint.	
12	Waste Disposal Rate	6.b. Project Description	9	The waste disposal rates from the five-year period between 2019 to 2023 indicate an average annual increase of 0.15%. If the annual increase continues at the same rate, the NDA will be consumed in the year 2085.	With the Minneapolis HERC potentially closing, the solid waste that originally went to this facility will need a new location to go to including Elk River. This may shorten the timeframe for when the NDA is consumed.	
13	Liner/Cap Design	6.b. Project Description	10	Soil properties	No properties for soils that will be used for liners or caps are provided.	7035.2815 Subpart 8 and Ordinance 180 Section 7.6.K.1
14	Base Liner Design	6.b. Project Description	9-10	Issue with proposed layer in the liner system.	GCL is known for low frictional strength of the both the internal and interface shear planes. No consideration is made of the potential for slope failure due to low interface or layer strength; neither evaluation nor protective configuration are provided.	
15	Base Liner Design	6.b. Project Description	10	Geosynthetic Clay Liner (GCL) OR 2 FT clay liner, HDPE, drainage layer, geotextile	Liner design must comply with Sherburne County Solid Waste Ordinance 7.6 Additional Requirements for Sanitary Landfills.	See Sherburne County SWO 180 Section 7.6 Additional Requirements for Sanitary Landfills
16	Base Liner Design	6.b. Project Description	10	33% (3H:1V) slope	M.R. 7035.2815, Subp.6 (C) (2) provides that final cover slopes shall not exceed 25 percent. Section 7.2 of Sherburne County SWO also provides that final contours do not exceed 20 percent slope.	See Sherburne County SWO 180 Section 7.2 Final Elevations
17	Landfill Design	6.b. Project Description	10	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	No discussion is made of protections necessary to accommodate the lesser chemical resistance offered by the use of the alternative geomembrane material LLDPE while still meeting the chemical resistance properties of the material (high density polyethylene, HDPE) that is the standard established by the Code of Federal Regulations 40 CFR 258.40 for Municipal Solid Waste (MSW) landfill liner systems.	
18	Landfill Design	6.b. Project Description	10	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	No discussion is made of how the geosynthetic clay liner (GCL) liner layer, proposed for use in the liner system over previously placed waste, will accommodate potential slippage and gapping likely when confronted with differential settlement from previously placed waste under the proposed new landfill liner system.	
19	Liner Design	6.b. Project Description	10	Permit Modification Drawings, North Development Area MSW Expansion, pg. 18, 22, Coarse Aggregate Layer. An alternative liner is shown as an option on Figure 1A/18	No documentation supporting the proposed alternative liner is provided. County SWO Section sets for standards for liner systems.	7035.2815 Subpart 7.K. And, County Ordinance 180 Section 7.6 K. And Permit Modification Drawings, North Development Area MSW Expansion, pg. 18, 22, Coarse Aggregate Layer.

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
20	Landfill Design	6.b. Project Description	10-11	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	There is no discussion of operational aspects used during construction and filling of the existing landfill particularly addressing: void prevention; inspection and removal of materials that could create points of high stress leading to new landfill liner puncture; and "hard spot" creation such as from stacked haul road sequences.	
21	Landfill Design	6.b. Project Description	10-11	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	There is no discussion of and protection against potential differential settlement and angular distortion amounts deriving from potential settlement of previously placed waste under the proposed new landfill liner system.	
22	Landfill Design	6.b. Project Description	10-11	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	There is no discussion of the ability of new landfill liner system to withstand elongation and bridging over newly-created unsupported areas related to potential differential settlement amounts, and of the necessary resilience and strength held in reserve (factor of safety) for additional, compounding stresses related to potential unanticipated conditions associated with future (proposed) waste placement operations, as even a material with high elongation characteristic will snap, tear or separate if elongated over too short a distance.	
23	Landfill Design	6.b. Project Description	10-11	Differential settlement of the "piggyback" new landfill over the existing landfill is not adequately addressed by the Proposer	No discussion is made of how the composite of the LLDPE geomembrane and the geosynthetic clay liner (GCL) liner layer, proposed as the liner system over previously placed waste, will accommodate potential slippage and gapping likely when confronted with differential settlement from previously placed waste under the proposed new landfill liner system, in particular addressing the differing strain responses and how the composite liner protection will be maintained.	
24	Landfill Design	6.b. Project Description	10-11	The well-established occurrence of embankment foundation settlement of the new landfill under the loading associated with the filled condition is not addressed by Proposer.	The differential settlement likely to occur from an unloaded edge or exterior corner to heavily loaded locations such as under the top of proposed landfill waste and cap slope. In particular, the effect of this foundational differential settlement on the leak collection system (LCS) piping and the cell bottom drainage.	
25	Landfill Design	6.b. Project Description	10-11	Issue with proposed layer in the liner system.	The buffer soil layer (12 inches thick) and the granular drainage material (12 inches thick) above the slope liner and the base liner, respectively are very thin for liner protection from MSW. There seems to be insufficient protection from puncture possible due to landfill compaction of waste material potentially containing, glass, metal or even wood objects. No description is made of how the liner systems will be protected from puncture either by operational approaches (e.g., 6 feet minimum verified thickness prior to tracking with cleated compactor) or by layer specification (e.g., first lift above buffer soil layer or granular drainage material will be a controlled, small size fill such as wood chips or tire chips, 6 feet minimum verified depth).	
26	Final Cover Design	6.b. Project Description	11	33% (3H:1V) slope	M.R. 7035.2815, Subp.6 (C) (2) provides that final cover slopes shall not exceed 25 percent. Section 7.2 of Sherburne County SWO also provides that final contours do not exceed 20 percent slope.	See Sherburne County SWO 180, Section 7.2 Final Elevations
27	Landfill Design	6.b. Project Description	11	The leachate collection, transportation, treatment and disposal plan has omitted consideration of the expansion schedule, particularly aspects of open, covered or intermediately closed volumes of placed waste. Leachate is currently reported as 15 – 25 million gallons per year; the upper end value corresponds to 68,000 gallons per day, or about 17 fully loaded semi-truck tank trailer loads, not accounting for weekends likely to not have hauling operations or high precipitation events.	The upper end value of 68,000 gallons per day equates to 90% of the permitted discharge capacity employing both the MCES treatment plant and the City of Elk River sanitary sewer system. Increased landfill area, whether open, covered, intermediately closed or permanently closed will increase the generation amount. Permittee has not described how increased generation will be accepted for discharge at likely flows greater than permitted discharge capacity when the new landfill is opened.	M.R. 7035.2815, Subp.9. And, M.R. 7035.2815, Subp. 15
28	Landfill Design	6.b. Project Description	11	The leachate collection, transportation, treatment and disposal plan has omitted consideration of the expansion schedule, particularly aspects of open, covered or intermediately closed volumes of placed waste. Leachate is currently reported as 15 – 25 million gallons per year; the upper end value corresponds to 68,000 gallons per day, or about 17 fully loaded semi-truck tank trailer loads, not accounting for weekends likely to not have hauling operations or high precipitation events.	Permittee has not described how landfill operations likely being done on a 5-workday week could support leachate generation on a 7 calendar day week, given that the upper end discharge levels correspond to 90% of permitted capacity, i.e., how 7 days of leachate generated do not exceed a single day's limit when discharged on a 5-day basis (140% of average flow – 95,200 gallons per day – discharged each day over five days to discharge seven days of average flow generated).	M.R. 7035.2815, Subp.9. And, M.R. 7035.2815, Subp. 15
29	Landfill Design	6.b. Project Description	11	The leachate collection, transportation, treatment and disposal plan has omitted consideration of the expansion schedule, particularly aspects of open, covered or intermediately closed volumes of placed waste. Leachate is currently reported as 15 – 25 million gallons per year; the upper end value corresponds to 68,000 gallons per day, or about 17 fully loaded semi-truck tank trailer loads, not accounting for weekends likely to not have hauling operations or high precipitation events.	When the new landfill opens, the amount of leachate generated and the number of tank trailer trips will likely increase as the landfill area increases. Tank trailer operations are notoriously sensitive to weather events and can also be significantly impacted by traffic blockages or detours. Given the risk of tank trailer operational disruption and the near capacity level of permitted leachate discharge currently experienced by the existing landfill operations, description is needed of contingency operations to ensure leachate discharge is done without disruption or permit exceedance. Leachate storage is not proposed for expansion. Leachate disposal to an extended force main to the Elk River sanitary sewer system does not carry an increase in permitted discharge that could alleviate some conditions.	M.R. 7035.2815, Subp.9. And, M.R. 7035.2815, Subp. 15
30	Liner Design	6.b. Project Description	11	Leachate collection efficiency not addressed	No documentation discussing the leachate collection efficiency of either of the proposed liner designs is provided.	7035.2815 Subpart 7.J

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
31	Landfill Design	6.b. Project Description	N/A	Limited discussion on system integrity.	No discussion has been made of the effects of the proposed landfill waste decomposition and associated settlement and differential settlement on closure system integrity, particularly related to cover system protection and continuance of above cover system and within cover system drainage. No evaluation has been made and described of necessary operational controls such as prevention of overlapping haul roads that may create settlement-resistant hard spots next to zones of high waste settlement.	
32	Landfill Design	6.b. Project Description	N/A	The well-established occurrence of embankment foundation settlement of the new landfill under the loading associated with the filled condition is not addressed by Proposer.	The maximum amount of settlement is not evaluated nor considered in relation to the existing groundwater level and reduction of separation that will occur under loading by newly placed waste.	
33	Landfill Design	6.b. Project Description	N/A	The well-established occurrence of embankment foundation settlement of the new landfill under the loading associated with the filled condition is not addressed by Proposer.	The potential for cell drainage direction reversal due to the foundational differential settlement.	
34	Leachate Collection	6.b. Project Description	11	Leachate Generation	Contingency plan for increased leachate production.	7035.2815 Subp 9. And, 7035.2815 Subp. 15
35	Leachate Collection System	6.b. Project Description	11	Adequacy of leachate collection system	The water balance required by rule is not provided.	7035.2815 Subpart 9.C
36	Leachate Collection System	6.b. Project Description	11	Maintaining less than 1' of leachate head on liner.	No method of measuring leachate head on liner (needed for each individual cell) is provided.	7035.2815 Subpart 9.D
37	Leachate Collection System	6.b. Project Description	11	Long term performance of leachate collection piping	Calculations showing that the piping is capable of handling anticipated solid waste/cover loading are not provided.	7035.2815 Subpart 9.F, 7035.2815 Subpart 12.I
38	Leachate Collection System	6.b. Project Description	11	Permit Modification Drawings, North Development Area MSW Expansion, pg. 23, Plan: Tie-In to existing leachate force main wet well. Adequacy of leachate collection system	No calculations are provided to support the pipe sizes in relation to the anticipated leachate generation rates. No calculations are provided to document that the existing leachate lift station (Figure 2/23) has adequate capacity to handle the additional volume of leachate generated by the NDA.	Permit Modification Drawings, North Development Area MSW Expansion, pg. 23, Plan: Tie-In to existing leachate forcemain wet well.
39	Leachate Collection System	6.b. Project Description	11	Permit Modification Drawings, North Development Area MSW Expansion, pg. 21. Sediment drains (Figure 2/21)	Due to the location of the sediment drains (low point of leachate collection piping) sediment will accumulate at these locations. No discussion on long term viability of sediment drains due to potential sedimentation.	Permit Modification Drawings, North Development Area MSW Expansion, pg. 21.
40	Leachate Collection System	6.b. Project Description	N/A	Cleanouts	The maximum cleanout spacing required by rule is exceeded.	7035.2815 Subpart 9.B
41	Landfill Gas Management	6.b. Project Description	12	Renewable Natural Gas (RNG) and Landfill Gas Management	Need better explanation for RNG being able to manage current and future proposed gas production. If RNG is offline, is the candlestick flare burn able to manage the landfill gas? Contingency action plan needs to address how landfill gas is to be managed in the event that the RNG plant is off line.	M.R. 7035.2815, Subp.11. And, M.R. 7035.2815, Subp. 15
42	Increased capacity needs at future landfill	6.d. Project Description	13	MPCA's 20 Year Solid Waste Management (2022 to 2042) Plan	The MPCA's 20 year Solid Waste Management (2022 to 2042) plan does notes if the HERC were to shut down, aggressive programs would need to be put in place to address the increase of waste to landfills. MPCA needs to address in the EIS on what their plans are to address the diversion of potentially 365,000 tons per year (the permitted capacity of the HERC) to other solid waste facilities and specifically how much will be diverted to Elk River. Has a contingency plan been developed? Depending on the number, impacts may vary from what is discussed in this EAW.	Metropolitan Solid Waste Management Policy Plan, 2022-2042
43	Climate Adaptation and Resilience	7.a. Climate Trends	14, 15	Leachate management, faster generation of leachate	Increase precipitation will increase the need for more leachate management. How will this be addressed?	7035.2815 Subp 9. And, 7035.2815 Subp. 15
44	Climate Adaptation and Resilience	7. Climate Adaptation and Resilience	14	Climate Trends	No discussion of changes in wind patterns.	
45	Wetlands	8. Cover Types, Table 8-1. Cover Types.	24	Table 8-1. Cover Types. Wetlands and shallow lakes – they list 2.24 acres “before” and 0 “after”. However, when I compare chart to Figure 17 – Wetland Removal Areas, the numbers do not match up. Figure 17 has a total of 2.494 acres impacted.	Need clarification on wetland acres impacted.	
46	Wetlands	9. Permits and Approvals Required, Table 9-1. Required Permits.	26	Permits and Approvals Required	Wetland delineation PLUS a wetland replacement or no-loss or exemption is needed.	
47	Land Use	9. Permits and Approvals Required, Table 9-1. Required Permits.	26	Permits and Approvals Required	Permit issued previously was for a mining operation and to a different company. Now a landfill is proposed and the impacts have changed. A new Wetland Conservation Act Permit/Replacement Plan will be required.	
48	Land Use	10.a.i Land Use References	26	No residential structures noted on Figure 10	The land use figure should illustrate residential properties and buffer them to show distances from cells. It should reflect the land uses as discussed in Section 10.a. 1. This map looks to illustrate land cover.	Figure 10 in EAW
49	References	References	26-27	County Plans cited	Check to make sure all County plans are listed in reference list.	
50	Land Use	10.a.3. Land Use, Zoning	27	Zoning	It is stated “Sherburne County classifies Rice Lake as a Natural Environment” lake in Section 14 of its zoning ordinance. Industrial development is not prohibited in a shoreland district of a Natural Environment Lake.” This statement is false. In the Sherburne County Zoning Ordinance, Section 14 – Shoreland District – 4.23 Land Uses for Lake Classification the chart has an N, which stands for “Not Permitted Uses” for the industrial Land Use under a natural environment lake.	
51	Land Use	10.a.3. Land Use, Zoning	27		Figure 5. North Development Area– It is recommend that the project proposer identify/label what the light blue line represents in Figure 5. Is it the OHWL of Rice Lake? Please explain.	
52	Land Use	10.b.... land uses, zoning, and plans...	27	Zoning	Need to add that although Comp Plan Map shows Heavy Industrial, the proposed areas of expansion are not zoned Heavy Industrial. A landfill must be located in a Heavy Industrial Zone, therefore, the project proposer will need to request to have applicable parcels rezoned. In addition, a Condition Use Permit will need to be applied, and approved for a landfill to expand to the north.	
53	Land Use	Either 10.a.4.b.	27	Litter and Odors	Given the history of complaints about the litter and odors originating from the landfill, provide details as to how the litter and odors will be managed.	

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
54	Land Use	10.c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 10b above and any risk potential.	27	Land Use	10.c. currently states "Rice Lake wetland complex". It is noted that Rice Lake is a Natural Environment Lake and should be listed as such.	
55	Landfill Design	11.a. Geology, soils, and topography/landforms: b. Soils, topography, etc.	28	33% (3H:1V) slope	M.R. 7035.2815, Subp.6 (C) (2) provides that final cover slopes shall not exceed 25 percent. Section 7.2 of Sherburne County SWO also provides that final contours do not exceed 20 percent slope.	See Sherburne County SWO 180, Section 7.2 Final Elevations
56	Geology	11.a. Geology	28	Inconsistent descriptions	"The uppermost bedrock in the NDA area includes shale and fine-grained, cemented sandstone" is not consistent with later statements that the Eau Claire is uppermost. Need a better, more complete description of the Eau Claire formation.	
57	Geology	11.a. Geology	28	Groundwater data	"The upper outwash hosts the water table across most of the NDA and saturated range from less than ten to approximately 40 feet" is not a good way to describe the water table. Suggest deleting.	
58	Wetlands	12.a.1. Water Resources	30	Wetland Permitting	The text notes an amendment to the the Section 404 wetland permit amendment is needed. Is a state wetland permit amendment also needed?	
59	Wetlands	12.a.1. Water Resources	30	Wetland Permitting	the EAW scoping document. Approximately 2.949 acres of wetland may be impacted. In addition to Section 404 Permit Amendment being submitted to impact wetlands a wetland replacement plan will need to be submitted to the County Zoning Department for	
60	Wetlands	12.a.1. Water Resources, Wetlands	30	Terminology	Wetlands "taken" or "removed" is unclear terminology and not found in this context in 8420 rule. Perhaps "impacted" is the intended term? Update throughout narrative and figures.	
61	Wetlands	12.a.1. Water Resources, Wetlands	30	Wetlands	Wetlands should be described based on the finding from the delineation. Wetland type and hydrology regime. Was a functional or quality assessment completed? An HGM classification and functional assessment will likely be needed to evaluate permitting requirements. A table of delineated wetlands would be helpful.	
62	Wetlands	12.a.1. Water Resources, Wetlands	31	Figure 17. Wetland Removal Areas	Figure 17 has a mapping glitch with Wetland J where a portion is missing.	
63	Groundwater	12.a.2. Groundwater:	32	Potential for Groundwater Impacts	Explain how in a hypothetical release the contamination stays in the upper outwash? Other reports clearly show that an existing vinyl chloride plume is in the lower outwash till. Provide for how downgradient monitoring will occur in the event of a release.	Groundwater Corrective Action. Barr, 2020a and 2018; Figures 6, 7, and 8.
64	Separation from groundwater	6.b. Project Description 12.a.ii. Water Resources	11, 32	Seasonal high water table	No documentation provided on seasonal high water table. No documentation provided on adequate separation from seasonal high water table. The seasonal high water table is not provided on the cross sections or other figures in Appendix B.	Ordinance 180 Section 7.1.E
65	Groundwater	12.a.2. Groundwater	32	Monitoring	Future groundwater monitoring should include PFAS analysis.	
66	Groundwater	12.a.2 Water Resources	32	Aquifer Characteristics	Because the lower outwash has been important in monitoring the south part of the landfill, it should be included in the narrative here.	
67	Groundwater	12.a.2 Water Resources	33	MDH Wellhead Protection	Discuss whether the WPA or the Ridges of Rice Lake Housing Development extends below the ERL.	
68	Groundwater	12.a.2. Groundwater:	33	Potential for Groundwater Impacts	Explain how the site is monitorable with a high degree of confidence. Well placement to the west of the landfill in the wetlands is extremely difficult.	Enter Rice Lake Tibbits Brook report or the P-325/P-326 project document
69	Groundwater	12.a.2. Groundwater:	33	Landfill is in current corrective action for vinyl chloride contamination.	It is true that Project Site is not within a Wellhead Protection Area, but it is inaccurate to say that no impacts have been identified. Well replacement has occurred for residents of Ridges of Rice Lake as a result of impacts.	
70	Final Cover	12.a.2. Control measures to minimize potential impacts to groundwater	37	33% (3H:1V) slope	M.R. 7035.2815, Subp.6 (C) (2) provides that final cover slopes shall not exceed 25 percent. Section 7.2 of Sherburne County SWO also provides that final contours do not exceed 20 percent slope.	See Sherburne County SWO 180, Section 7.2 Final Elevations
71	Stormwater Management	12.b.ii. Stormwater	37	Climate Trends	Meeting the state minimum construction stormwater compliance will not provide the level of protection under a future climate change scenario. Heavier intensity and higher frequency will mean that 0.5-inch water quality volume may not be enough for first flush pollutant treatment.	
72	Stormwater Management	12.b.ii. Stormwater	37	Climate Trends	Concerned with the emergency spillways being used for events greater than the 25-year event. The current 25-year period is projected to be something more frequent in the future. Account for climate change projections in the design of the drainage and stormwater management system (i.e. use the values from the upper bound of the 90th percentile confidence interval from NOAA Atlas-14).	
73	Stormwater Management	12.b.ii. Stormwater	37	Climate Trends	Consider the impact of flashier, high volume storms to the ponds which will be undersized for peak flows resulting in more bypass scenarios.	
74	Stormwater Management	12.b.ii. Stormwater	37	Climate Trends	3' minimum depth may not be adequate as we see higher sediment loading from intense storms, requiring increased maintenance frequency, and shallow ponds will be prone to heating up with longer dry spells.	
75	Stormwater Management	12.b.ii. Stormwater	37	Stormwater Calculations	Provide HydroCAD calculations and details for the stormwater management ponds.	
76	Stormwater Management	12.b.ii. Stormwater	37	Downstream Impacts	To minimize downstream impacts (to Rice Lake and wetlands) match existing peak runoff rates and volumes.	
77	Stormwater Design	12.b.ii Water Resources	38-39	Stormwater/culvert sizing	Calculations have not been provided showing compliance with stormwater regulations	

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
78	Stormwater Design	12.b.ii Water Resources	39	Length of open channel to stormwater pond	The maximum flow distance for water from the east toe of the slope of the cap to the Northwest Stormwater Pond is approximately 3,500 linear feet. Due to the length of the channel sedimentation may be an issue until the final vegetative cover is established. No discussion on interim sediment control structures on the east side (if needed) is provided.	
79	Drainage Design	12.b.ii. Stormwater	39	Climate Trends	Drainage system designed using NOAA Atlas 14 mean values. Section 7. Climate Adaptation and Resilience section acknowledges an increase in extreme precipitation events. Projected rainfall depths should be evaluated in the design of stormwater management plan.	
80	Wetlands	12.b.4. Surface Waters: Wetlands	40		Second sentence is poorly worded and it is unclear the meaning of it.	
81	Wetlands	12.b.4. Surface Waters: Wetlands	40	Wetlands	It is unclear if 6.39 acres of wetlands will remain after mining. The mining wetland permit had a conditional approval and without those conditions being met there will be additional impacts or a reduced mining footprint that is not allowed to mine in the sub watershed of wetlands B and F. This document does not reference any of the conditions of the 2022 Wetland Conservation Act Notice of Decision. The mining area used throughout this document might does not even have approval at this point.	
82	Wetlands	12.b.4. Surface Waters: Wetlands	40	Wetlands	Discussion of avoidance and minimization is not addressed. Please rigorously address. What are the alternatives?	
83	Wetlands	12.b.4. Surface Waters: Wetlands	40	Wetlands	Discussion of mitigation is not addressed. Please address.	
84	Wetlands	12.b.4. Surface Waters: Wetlands	41	Wetlands	Please reference a figure describing the proposed stormwater pond.	
85	Wetlands	12.b.4. Surface Waters: Wetlands	41	Wetland Impacts	Impact is defined as "a loss in the quantity, quality, or biological diversity of a wetland caused by draining or filling of wetlands, wholly or partially, or by excavation in the permanently and semi-permanently flooded areas of wetlands." It is unclear if the wetland impacted by the stormwater pond will have losses to the wetland quality or biological diversity. Only hydrology and quantity are discussed.	
86	Wetlands	12.b.4. Surface Waters: Wetlands	41	Wetland Impacts	Second paragraph. It is unclear how or where these assumptions are made. Please reference a study, another part of the document, or other scientific information to support the assumptions. Geotechnical soil borings, water table monitoring?	
87	Wetlands	12.a.i./12.b.iv.a. Water Resources	40-41	Wetland Impacts	However, the reports/mapping are not provided. Although reports are now expired, please provide tables and/or figures that describe delineated wetlands and direct impacts in more detail (e.g. wetland type, potential impact amount to each wetland).	
88	Wetlands	12.b.iv.a. Water Resources	41	Wetland Impacts	Is plant community the sole indicator used to determine groundwater dependence of wetland proposed for 30% impact? Are there any supporting hydrology data? Discuss groundwater dependency determination further.	
89	Wetlands	12.b.4.a Surface Waters, Wetlands	40-41	Wetland Impacts	Figures have been provided that clearly show 2017 wetland delineation locations with accompanying narrative of proposed impacts. However, the nature of the impacts proposed to 2.24 acres of wetland is not clear and if they overlap or include the potential impacts via stormwater pond construction. The text indicates an additional 1-2.5 acres of wetland will be impacted by the stormwater ponds, but it is not clear if these impacts will occur to the 2.24 acres of wetland already proposed for impact or to additional wetland areas to the west or otherwise. The text currently states on page 40 that "The remaining 4.13 acres will persist outside the Project Site to the west (Figure 17)," but that would not be true if they are proposed for stormwater-construction related impacts.	
90	Wetlands	12.b.4.a Surface Waters, Wetlands	41	Wetland Impacts	Is plant community the sole indicator used to determine groundwater dependence of the wetland proposed for 30% impact? Are there any supporting hydrology data? Discuss groundwater dependency determination further and ensure this determination is made clear during the WCA and Section 404 processes.	
91	Wetlands	12.b.4.a Surface Waters	40-41	Wetland Impacts	Are there potential offsite groundwater impacts to the western wetland under a hypothetical release scenario? Discuss further.	
92	Groundwater Contamination	13.a. Contamination/ Hazardous Materials/ Wastes	41-43	Existing groundwater contamination	Explain how groundwater contamination has occurred in the lower outwash aquifer at the current permitted location, and how the proposed NDA is different and that contamination will be limited to the upper outwash and not impact the lower outwash.	EOR Report: Elk River Landfill: Review of Groundwater Contamination Issues, dated 10/13/2025.
93	Groundwater Contamination	13.a. Contamination/ Hazardous Materials/ Wastes	41-43	Groundwater contamination receptors	List the wetlands, surface water bodies, and specific wells downgradient of the landfill that are potential receptors of groundwater contaminants.	
94	Groundwater	13. Contamination/hazardous materials/wastes: a. Pre-project site conditions:	42	Monitored Natural Attenuation (MNA)	Current data does not indicate monitored natural attenuation is occurring within the contamination plume.	EOR Report: Elk River Landfill: Review of Groundwater Contamination Issues, dated 10/13/2025.

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
95	Groundwater Contamination	13.a. Contamination/ Hazardous Materials/ Wastes	42	Groundwater contamination	Page 42 of the Scoping EAW states: "The downgradient-most extent of the groundwater detections has been defined (i.e., a clean downgradient well exists) and natural attenuation is occurring." Explain how it was determined that "a clean downgradient well" indicates that natural attenuation is occurring, when instead the plume just hasn't reached that monitoring point as of yet.	EOR Report: Elk River Landfill: Review of Groundwater Contamination Issues, dated 10/13/2025.
96	GHG Emissions	18. GHG Emissions/Carbon Footprint	42-44	Carbon Sequestration/Footprint	There is no accounting for the loss of carbon sequestration associated with the loss of trees and wetlands. This loss would contribute to the overall emissions from the site.	
97	GHG Emissions	18.b. GHG Assessment	44	Mitigation Measures	EAW states that "ERL plans to implement appropriate GHG mitigation measures when feasible". How is feasibility of these mitigation practices determined?	
98	GHG Emissions	18.b. GHG Assessment	44	Mitigation Measures	Consider tree replacement as a mitigation measure.	
99	GHG Emissions	18.b. GHG Assessment	44	Mitigation Measures	Consider the use of electric vehicles as a mitigation measure.	
100	Fish, wildlife, plant communities, and rare features	14.a. Fish, wildlife, plant communities, and sensitive ecological resources	46-47	Native Plant Communities	What source does the FDs37 NPC classification come from? It does not appear to be included in the DNR NPC GIS layer.	
101	Fish, wildlife, plant communities, and rare features	14.c. Fish, wildlife, plant communities, and sensitive ecological resources	50	Native Plant Communities	Will the FDs37 area be impacted by the current mine? Will it be impacted by the proposed landfill, or will all impacts already have occurred from the mine? FDs37 subtype b may be considered a Rare Natural Community and warrant consideration under WCA.	
102	Fish, wildlife, plant communities, and rare features	14.c. Fish, wildlife, plant communities, and sensitive ecological resources	50	Native Plant Communities	In Appendix C, the DNR Regional Plant Ecologist indicated that wetlands on the site may qualify as rare natural communities subject to WCA. Discussion of potential impacts to wetland RNCs is warranted.	
103	Visual	16. Visual	53	Visual impacts to residents	The SEAW states that there are no scenic views or vistas in thearea. However, the Great Northern Regional Trail is to the west of the NDA. The landfill will have a visual impact to adjacent residents, Highway 169, and the Great Northern Regional Trail. High winds can blow debris into trees and adjacent properties.	Section 16 - Visual of EAW
104	Visual	16. Visual	53	Visual impacts to Great Northern trail users	Vegetation should be maintained on the western boundary of the landfill to the extent possible to provide a level of screening to trail users. This will keep with the guiding principles of this trail system.	https://www.co.sherburne.mn.us/DocumentCenter/View/8513/Great-Northern-Trail-Master-Plan-2022-08-30
105	Landfill gas emissions	17. Air. a.	55	Landfill gas emissions	Explain how the emitted fugitive gas is 25%. Further explain the negative impacts resulting from this.	
106	Landfill gas emissions	17. Air. a.	55	Landfill gas emissions	Explain how landfill gas is not increasing? DSDD claims otherwise, LFG will go from 3100 to 5008 scfm by 2077 according to LandGEM.	DSDD
107	Landfill gas emissions	17. Air. a.	55	Fugitive dust emissions	Explain how future annual acceptance rates are expected to remain like 2023 with a future potential HERC closure, future counties growth of population and increase in waste generation rates.	
108	Fugitive Dust Emissions	17.a. Air	55	Waste acceptance rates	It notes again that waste acceptance rates will be expected to remain similar to the 2023 waste acceptance rate; it should be addressed if waste is to be accepted if the HERC's incinerator closes, how much of an increase there will be to this facility. Also, consideration to population growth and waste generation should be considered.	Section 17 - Air - Fugitive Dust Emissions of the EAW
109	Air	17.a. Air. Draft Scoping Decision Document (DSDD), pg. 11. Air Quality	55-60	Air Emissions Impacts to Residents	In the Air Permit Section, please explain more clearly what previous LFG gas controls (combustion devices, engines) were present and when, what is present now, and more detail of future plan for Renewable Natural Gas plant, with projected start-up date vs. landfill expansion start-up date. Even though the future RNG plant may be owned and operated by a different entity, a thorough analysis of the LFG disposition and emissions it will generate is warranted.	
110	GHG	18.a. Greenhouse Gas (GHG) Emissions/Carbon Footprint. Draft Scoping Decision Document (DSDD), pg. 12. Air Quality	57-58	GHG impacts	EAW needs more discussion of project-related CO2e combustion emissions total of zero tons/year. Is this due to offsite/other party RNG plant, no net increase in LFG emissions per year, both, other? What about additional fuel combustion due to higher total vehicle miles travelled? We realize detailed calcs may be forthcoming, but an overview/discussion in the EAW is appropriate.	
111	Noise	19.a. Noise	59	Quantitative noise levels	Will the new location of activities be closer to any sensitive noise receivers that might be impacted? Namely along 239th Avenue NW.	
112	Noise	19.a. Noise	59-60	Noise impacts	Will there be any efforts to minimize noise? Discuss that machinery will be properly maintained, including mufflers and lubrication to minimize noise. Also discuss efforts to minimize banging or dropping, and noise from dump truck gates, etc.	
113	Noise	19.a.1. Noise	59-60	Noise sources	There is no map in appendix locating the existing and future planned sources of noise as discussed in the narrative.	
114	Noise	19.a.1. Noise	59-60	Noise source operating hours	Unclear operating hours for varying noise sources: when is the facility permitted to operate, regardless of "typical" conditions? Differentiate between applicable hours for waste hauling versus equipment, etc. and provide durations of high-noise equipment use.	
115	Noise	19.a.1. Noise	59-60	Quantitative noise levels	While existing noise sources are qualitatively described, measured or theoretical quantitative noise levels are missing from this section.	
116	Noise	19.a.1./19.a.2. Noise	59-60	Quantitative noise levels	Missing discussion or data on noise monitoring around the site and nearby noise sensitive receptors.	
117	Noise	19.a.1. Noise	59-60	Impacts from HERC closure	This section states "the number of trucks delivering waste may or may not increase"; however, this project is affected by the HERC closure and rerouting of vehicles to this facility - so, wouldn't heavy vehicle traffic be increasing? If so, this should be quantified.	
118	Noise	19.a.3. Noise	59-60	Noise receivers	There is no map in appendix detailing the Noise Area Classification of the site and surrounding land use activities per Section 7030.0050 Subp. 2.	
119	Noise	19.a.2. Noise	59-60	Noise receivers	Identify number, NAC, and location of receptors within defined 0.5-mile study limit; identify change in distance between receptors and noise sources in existing vs. future scenarios.	
120	Noise	19.a.2. Noise	59-60	Noise impacts	Relative elevation is used as a justification for limited noise impacts; however, line-of-sight is the more appropriate metric to add.	

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
121	Noise	19.a.2. Noise	59-60	Noise impacts	If 50% of the capacity will be deposited at lower elevations, that implies a non-negligible amount of activity will occur at higher elevations - this does not equate to "residents will be shielded from most of the noise from the facility" as stated.	
122	Noise	19.a.2. Noise	59-60	Noise impacts	Missing duration of "closure construction activities" that are cited as occurring "once every few years"	
123	Noise	19.a. 3. Noise	59-60	Noise impacts	Missing sound intensity/pressure discussion	
124	Noise	19.a. 3. Noise	59-60	Noise regulations	Table format recommended for the Noise Area Classification L10 and L50 standards for Daytime and Nighttime.	
125	Noise	19.a. 3. Noise References	59-60	References	FHWA Construction Noise handbook is mentioned but not cited/in the References	https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/
126	Noise	19.a.3. Noise References	59-60	References	Missing reference to the state rule section 7030 and MPCA as applicable regulating entity.	https://www.revisor.mn.gov/rules/7030/
127	Noise	19.a.3. Noise References	60	Noise impacts	Specify more than the 80-85 dBA range; for noise sources in the narrative for section 19.1, include them in a table with the best applicable noise level as cited in the FHWA Construction Noise Handbook.	
128	Noise	19.a. Noise	60	Noise impacts	The quality of life section (19.4) will be of little consolation for residents. The state standards will apply regardless of any existing condition. This will be especially true for any sensitive receptor that will have development site changes that move noise sources closer to the receptor. This will also be true for any site that exceeds state standards, regardless of existing conditions.	
129	Noise	19.a.3. Noise References	60	Noise regulations	Unclear which NAC and timeframes (daytime vs. nighttime) apply for this facility given the narrative. If L50 is exceeded for nighttime hours, but no construction or operation noises are produced in night time hours, does this section the standards are met by the facility or not?	
130	Noise	19.a.4. Noise	60	Mitigation measures	Are there any mitigation measures included for noise?	
131	Transportation	20.a.2 Transportation	60	Traffic data	How was the 11/2023-10/2024 ingress/egress traffic counted? 15-minute aggregate periods are standard; more granular data would be insightful throughout this section if it's available.	
132	Transportation	20.a.2 Transportation	60	Traffic data	Of the 310 daily trips generated, what is the vehicle classification distribution?	
133	Transportation	20.a.2 Transportation	60	Traffic data	What are the existing truck volumes along US 169, and what proportion of this value are trucks from the site?	
134	Transportation	20.a.2 Transportation	60	Traffic data	Although a TIS was not required, has one been conducted for this site in recent history or can? Should one be considered if the main access location is being rerouted to the north entrance?	
135	Transportation	20.a.2 Transportation	60	Impacts from possible HERC closure	No discussion regarding the project/site being subject to increased operational traffic related to the possible HERC closure. Statement that "Project will not increase operational traffic at the landfill" conflicts with "The number of trucks delivering waste may or may not increase" from 19.a	
136	Transportation	20.a.4 Transportation	61	Potential trail	There is a designated snowmobile trail along US 169 in this vicinity; please confirm non-impact and discuss proximity in narrative even if not impacted.	
137	Transportation	20.c. Transportation	61	Traffic data	What are the daily and peak hour turning movements at each of the 3 access intersections?	
138	Transportation	20.c. Transportation	61	Traffic data	What proportion of ingress and egress traffic will be making each movement and using each of the 3 accesses?	
139	Transportation	20.c. Transportation	61	Traffic data	What are existing congestion conditions along US 169 and at the 3 accesses?	
140	Transportation	20.c Transportation	61	Traffic safety	Traffic safety is not addressed in narrative. Review of crash records along US 169, particularly at the 3 entrances, is recommended; with potential for mitigation recommendations.	
141	Transportation	20.c Transportation	61	Traffic safety	Movements of particular concern associated with higher crash and severity risk: Angle crash type for movements (a) ingress northbound lefts, (b) egress eastbound lefts.	
142	Wetlands	21.c. Cumulative potential effects, Wetland	63	Wetlands	Check/verify wetland numbers are correct.	
143	Groundwater	General	N/A	Financial Assurances	Financial Assurances for the ERL NDA must include costs to replace future contaminated downgradient residential wells.	Minn. Rules 7035.2815, Subp 15. And, Sherburne County SWO 180, Section 7.10.
144	Contact information	DRAFT SCOPING DECISION DOCUMENT (DSDD)	1	Ralph Collins email is wrong, should be rcollin4@wm.com, not "rcollin@wm".	Need correct contact information for Facility contact.	
145	Alternatives	DRAFT SCOPING DECISION DOCUMENT (DSDD)	6	Alternative sites-new landfill	Explain the reasoning why an alternative site analysis is not being considered given the location of the proposed expansion. An Alternative Site analysis should be conducted.	Sherburne County SWO 180, Section 7.1 (A) (A). And, Minn. Rules Part 7035.2815, Subp. 2 Location. Also, Elk River Landfill: Review of Groundwater Contamination Issues, dated 10/13/2025.
146	Table 4. Scoping Criteria	DRAFT SCOPING DECISION DOCUMENT (DSDD)	8	11. Geology, Soils and Topography/Landforms.	Explain what this category was given an A, instead of a B or possibly a C.	Sherburne County SWO 180, Section 7.1 (A) (A). And, Minn. Rules Part 7035.2815, Subp. 2 Location. Further, PFAS has the ability to impact soils. Also, Elk River Landfill: Review of Groundwater Contamination Issues, dated 10/13/2025.
147	Table 4. Scoping Criteria	DRAFT SCOPING DECISION DOCUMENT (DSDD)	8	13. Contamination/Hazardous Materials/Wastes (A)	Explain what this category was given an A, instead of a B or possibly a C.	PFAS. https://www.pca.state.mn.us/air-water-land-climate/pfas-studies-and-reports . Also, Elk River Landfill: Review of Groundwater Contamination Issues, dated 10/13/2025.

Number	Area of Concern	EAW Section	Page	Reasoning for Comment	Comment	Relevant Links & References
148	Table 4. Scoping Criteria	DRAFT SCOPING DECISION DOCUMENT (DSDD)	8	16. Visual (A)	The landfill will have a visual impact to adjacent residents, Highway 169, and the Great Northern Regional Trail. High winds can blow debris into trees and adjacent properties. This should be rated a B at minimum.	
149	Table 4. Scoping Criteria	DRAFT SCOPING DECISION DOCUMENT (DSDD)	8	20. Transportation (A)	Explain why this category is an A rating given the potential increase in leachate trucking, residential growth in the area, and possible closure of the HERC facility factored into traffic volume. This should be considered a B at minimum.	
150	Tribal Engagement	DRAFT SCOPING DECISION DOCUMENT (DSDD)	9	No record of engagement with Minnesota Tribes	The Scoping EAW did not identify that the project proponent or MPCA has engaged with any of the 11 federally recognized Minnesota tribes or any other tribes regarding the project and potential impacts to tribally significant resources, especially wild rice. The MPCA has standing policies regarding consideration and protection to wild rice stands and has developed a list of waters supporting wild rice stands.	Policies and tools to address the potential impacts are found here -- Protecting wild rice waters Minnesota Pollution Control Agency. Rice Lake (WID 71-0015-00), which is a short distance west of the review area, is listed on the MPCA's Waters Used for Production of Wild Rice site -- https://data.pca.state.mn.us/views/Protectingwildricewaters/WildRiceWatersList?%3Aembed=y&%3AisGuestRedirectFromVizportal=y
151	Historic Properties	DRAFT SCOPING DECISION DOCUMENT (DSDD)	9	Lack of tribal engagement	Rice Lake (MN DNR Lake ID 71001500) is listed in Natural Wild Rice in Minnesota (2008). As Manoomin (wild rice) is a sacred food and state grain of Minnesota, more consideration and care needs to be taken for this lake.	https://files.dnr.state.mn.us/aboutdnr/reports/legislative/20080215_wildricestudy.pdf