

General information

Public comment period begins: July 17, 2026**Public comment period ends:** August 17, 2026**Current permit issued:** May 9, 2018**Current permit expiration date:** May 10, 2028

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to modify this permit for a term of approximately two years.

Name and address of Permittee:Brown County, MN
14 S State St
New Ulm, MN 56073-3154**Facility name and location:**Brown County Sanitary Landfill
21933 County Road 11
Sleepy Eye, MN 56085
Brown County**MPCA contact person:**Wesley Leksell
Resource Management and Assistance Division
Minnesota Pollution Control Agency
525 Lake Avenue South, Suite 400
Duluth, MN 55802
Phone: 218-302-6661
Email: wesley.leksell@state.mn.usFile manager phone: 651-757-2728 or
844-828-0942

A draft permit is available for review on the MPCA Public Notices webpage at <https://www.pca.state.mn.us/get-engaged/public-comments>. Additional materials relating to the issuance of this permit are available for inspection by appointment at any MPCA office (<https://www.pca.state.mn.us/about-mpca/contact-us>) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and U.S. Mail comments must be received by 4:30 p.m.

Watershed: NA**Receiving water: NA**

Description of permitted facility

The Facility authorized by this permit is a mixed municipal solid waste (MSW) land disposal facility located on a 181.84 acre parcel approximately six miles southwest of the City of New Ulm, Minnesota, in Section 6, Township 109 North, Range 31 West, Sigel Township, Brown County, Minnesota.

The Facility has two distinct areas: a closed, unlined (MSW) land disposal area, and an open, lined MSW disposal area. The design Facility capacity is 1,132,300 cubic yards (unlined MSW area) plus 2,602,500 cubic yards (lined MSW area) equals 3,734,800 cubic yards.

The MPCA originally issued Permit SW-89 consisting of 80 acres to Mathiowetz Enterprises, Inc., on September 1, 1972. On March 23, 1987, the MPCA modified Permit SW-89 and approved the change of ownership to Brown County. On August 8, 1990, the Permittee's consultant submitted revised calculations for the original design airspace, which was 1,814,000 cubic yards. The Permittee submitted design plans and specifications for the construction and operation of a lined horizontal development and expansion of the facility with a design air space of 2,602,500 cubic yards. On May 20, 1994, the MPCA approved the design for liner construction at the Facility. On September 20, 1994, the Facility permit was reissued. The 1994 permit authorized placement of up to 681,700 cubic yards of solid waste, daily, intermediate, and final cover materials in the lined fill area east of the previously used unlined fill area. Closure construction activities occurred in the unlined MSW disposal area in the summer of 1995. In 2016, the County obtained an additional 72 acres north of the existing property, for a new total area of 152 acres. Approximately 1,132,300 cubic yards of material have been placed in the unlined area. Approximately 1,653,442 cubic yards of the 2,602,500 cubic yards remain to be placed in the lined MSW disposal area, based on the 2017 annual report. With the issuance of this permit, the remaining capacity in the lined MSW area will be authorized. The permit issuance will authorize a composite liner system for future cell construction projects (two feet of clay plus 60 mil. HDPE) instead of installing the previously approved liner system of four feet of clay.

The permit application approved by this permit is signed and dated May 7, 2017. Brown County previously submitted two applications for minor permit modification. On July 10, 2020, the first minor permit modification application was submitted to extend sprayfield usage to December 2023. On July 29, 2020, the second minor permit modification application was submitted to allow for

the storage of agricultural plastic bags on site prior to transfer for recycling. MPCA did not act on these minor permit modification applications. On April 24, 2024, a major permit modification application was submitted for the incremental construction and operation of leachate recirculation. This major permit modification will also authorize leachate recirculation on the working face of landfill cells with a composite liner system; at the Facility this includes Cells 20-25. This major permit modification will also authorize storage of plastic agricultural bags prior to transfer for recycling.

Groundwater Monitoring:

The Monitoring Groups for this permit have been updated. One monitoring group will consist of all groundwater monitoring wells. These wells will be monitored following the standard MSW analytical sampling list. VOCs, field parameters, and select inorganics/metals (arsenic, boron, manganese, and nickel) will be sampled twice a year (Spring and Fall) while the remaining inorganics/metals will be sampled once a year in the Fall. The second groundwater monitoring group will consist of all groundwater wells monitoring the land application area and select wells monitoring the unlined MSW landfill. These wells will be sampling select PFAS analytes twice a year (Spring and Fall). 1,4-Dioxane has been added to the monitoring groups.

Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- 1) Submit written comments on the draft permit.
- 2) Petition the MPCA to hold a public informational meeting.
- 3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

Comments may be submitted:

- 1) Online at <https://mpca.commentinput.com/comment/search>; or
- 2) By U.S. postal mail to the following address:
Wesley Leksell
Minnesota Pollution Control Agency
525 Lake Avenue South, Suite 400
Duluth, MN 55802

Submitted comments or petitions must state:

- 1) Your interest in the permit application or the draft permit.
- 2) The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
- 3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

Public informational meeting

A public informational meeting is an informal meeting during which interested people can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.