



Southwest Regional Solid Waste Plan



2026-2036



Southwest Regional Solid Waste Commission EXECUTIVE SUMMARY

Southwest Regional Solid Waste Plan

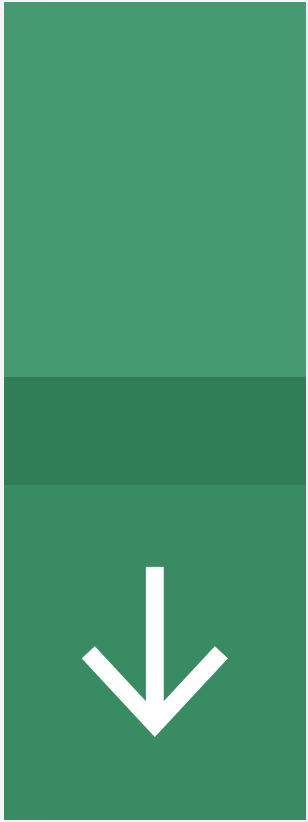
2026

A comprehensive analysis including
demographics, waste generation, and
management strategies



OVERVIEW

This document provides a comprehensive analysis of solid waste management in Southwest Minnesota, including demographics, waste generation, and management strategies.



2. Background Information

- **Demographic Information:** The region has a population of 148,407, with 67.4% living in urban areas. Rural areas face increased service costs due to lower population density.
- **Population Projections:** A decline in population is expected, particularly in rural counties, while urban centers like Lyon and Nobles may see slight growth.
- **Land Use Patterns:** 94% of land is agricultural, with minimal urban development.
- **Employment and Wages:** Manufacturing and healthcare are major employers, with a median wage of \$22.00/hr., below the state average.

3. Solid Waste Collection and Generation

- **Annual Waste Generation:** MSW generation peaked at 179,173 tons in 2021, attributed to pandemic-related cleanouts. 2024 MSW was 153,404 tons.
- **Collection Service Rates:** Urban areas have nearly 100% service coverage, while rural areas have lower rates, with many opting for self-haul.
- **On-Site Disposal:** On-site disposal rates have decreased, with 7% of waste disposed of on-site in 2022.
- **Collection Rate Structure:** Monthly rates for residential waste collection vary significantly across counties, with some counties facing challenges in data sharing.

4. Construction & Demolition Debris

- C&D Waste Generation:** Average annual C&D waste disposal is around 35,000 tons, with some waste being disposed of out of state.
- Demolition Landfill Capacity:** Renville County's landfill is expected to reach capacity by 2028, prompting discussions on expansion. Other County C&D operators are anticipating changes based on the proposed new MPCA C&D rules.

5. Major Solid Waste Generators

- Key Generators:** Major waste producers include manufacturing facilities, hospitals, and schools, with specific tonnages reported for each sector.

6. Review of Local Regional Solid Waste Planning

- Planning Activities:** The Southwest Regional Solid Waste Commission meets regularly to discuss solid waste management, including potential waste-to-energy projects.
- Barriers to Development:** Geographic sparsity, transportation costs, and limited financial resources hinder regional project development.

7. Existing Systems

- Policy Goals:** The goal is to foster an integrated approach to solid waste management, focusing on waste reduction, recycling, and composting.
- System Development:** The current system evolved from the closure of individual county landfills, leading to regional cooperation.

8. Existing System Policy Goals

- Waste Management Hierarchy:** The focus is on waste reduction, reuse, recycling, and environmentally sound disposal methods.

9. Solid Waste Reduction

- Source Reduction Initiatives:** Programs are in place to educate residents and businesses on waste reduction and recycling.

10. Solid Waste Education Programs

- Education Goals:** The aim is to increase public awareness and participation in waste reduction and recycling initiatives.



11. Recycling Programs

- **Recycling Rates:** The average recycling rate in the region is 41.77%, above the minimum 35% requirement and virtually equal to the target of 42% by 2015. Unfortunately, the 55% by 2022 goal remains unmet.

- **Existing Programs:** Various counties have implemented curbside recycling, drop-off sites, and special collection events for hazardous waste.

12. Yard Waste Management

- **Yard Waste Goals:** The goal is to prevent yard waste from entering landfills and to promote composting.

13. Source Separated Organic Materials Composting

- **Composting Goals:** The focus is on encouraging organic waste separation and composting.

14. Municipal Solid Waste Composting

- **Composting Facilities:** No municipal solid waste composting facilities are planned for the next decade.

15. Solid Waste Incineration Energy Recovery

- **Incineration Plans:** There are no plans for incineration or energy recovery facilities in the region.

16. MSW Land Disposal Facilities

- **Landfill Capacity:** The document outlines the current status and capacity of the various permitted landfills in the region.



17. Solid Waste Tire Management Programs

- **Tire Management Goals:** The aim is to provide accessible recycling options for tires and educate the public on proper disposal.

18. Electronic Products

- **Electronics Recycling Goals:** · The focus is on providing convenient recycling options for electronic waste.

19. Major Appliances

- **Appliance Recycling Goals:** · The goal is to ensure proper recycling of major appliances and educate the public on disposal options.

20. Automotive Waste Management

- **Automotive Waste Goals:** The aim is to direct proper disposal of automotive waste through certified service stations.

21. Household Hazardous Waste Management

•**HHW Goals:** The goal is to reduce HHW generation and provide safe disposal options.

22. Demolition Debris Management

•**Demolition Debris Goals:** · The aim is to manage demolition debris in an environmentally sound manner.

23. Solid Waste Ordinance Licensing

•**Ordinance Status:** · Each county has its own solid waste ordinance, with varying levels of enforcement and updates.

24. Solid Waste Staffing

•**Staffing Levels:** Staffing varies by county, with some counties facing challenges in maintaining adequate personnel for solid waste management.

25. Solid Waste Program Funding

•**Projected Costs:** The document outlines the projected costs and funding sources for solid waste management programs across counties.

26. Plan Review Ten-Year Update

•**Review Process:** · The plan will be reviewed every ten years, with annual evaluations to assess progress and make necessary adjustments.



27. Development of Numeric Goal/Volume Table

•**Goal Tables:** · Numeric goal and volume tables are included in the appendix.

28. Development of Solid Waste Program Budget

•**Budget Overview:** · A detailed budget for solid waste programs is provided in the appendix.

29. Alternatives to Proposed System

•**Contingency Plans:** · The document outlines contingency plans for operational difficulties in solid waste management.

30. Environmental Public Health Impacts

•**On-Site Disposal Risks:** The document discusses the public health risks associated with on-site disposal and illegal dumping.

31. Solid Waste Facility Siting Program

- **Siting Program:** The document does not provide specific details on a siting program

32. Public Participation Program

- **Public Involvement:** · Documentation of public participation in the planning process is maintained by the Southwest Regional Development Commission.

33. Multi-County Planning

- **Planning Documentation:** · The regional solid waste management plan will be overseen by the Southwest Regional Solid Waste Commission.



Timelines for New Programming

Program	Details	Start Date	Goals
ZahnTech - Plastic Recycling	Collection and Transportation of plastics to ZahnTech in Lennox, South Dakota for recycling into fence posts	Southwest Solid Waste Administrators will begin organizing in 2026	Begin collection/hauling by 2027
Regional Staff Person	Hiring a new region-wide staff person to assist the Commission and the SWAs in conducting education, outreach and planning activities within the region.	Upon approval of the Regional Plan by MPCA in 2026, the request to hire will go to the Solid Waste Commission.	If approved by the Commission, it should take 2-3 months to fill the position. Estimated start date if approved would be sometime in late 2026 or early 2027.
Bernie the Burn Barrel	Literature on toxicity associated with burning will be handed out, with a list of the licensed county commercial haulers	RRRSWA will kick off the campaign at the RRRSWA booth at the Renville County Fair in August of 2025.	Other counties in the region will begin their own campaigns highlighting each counties' unique efforts to provide access to alternatives for their residents beginning in 2026.
C&D Regional Planning Grant	Lac Qui Parle, Lincoln, Lyon, Redwood, Renville, Rock, and Yellow Medicine counties are looking at future options for C&D once closures happen with the new rules.	Fall of 2025	Planning Report must be completed by June 30, 2026
Wood Waste Grant	The Solid Waste Administrators are looking at ways to bring wood waste recycling on site.	The goal of the Southwest Solid Waste Administrators is to research and apply for funding in 2026.	If funding is received the program will have a potential 2027-28 start date.

2026 Southwest Regional Solid Waste Plan

TABLE OF CONTENTS

	Page
Section 1. Executive Summary	1-1
Section 2. Background Information	
a. Demographic, geographic and regional information	2-1
Section 3. Solid Waste Collection and Generation	
a. The amount of solid waste generated annually	3-1
b. Estimate the percentage of city and rural residents with solid waste collection service	3-2
c. Estimate the annual percentage of solid waste disposed of on site by generators	3-3
d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates	3-4
e. List any financial incentives for waste reduction and recycling	3-11
f. Describe the solid waste composition	3-12
g. Estimate the annual percentage of solid waste from residential and commercial/industrial solid waste generators	3-14
h. Summarize the solid waste collection and generation constraints and opportunities that have impacted or may impact the existing or proposed system	3-15
Section 4. Construction and Demolition Debris	
a. Estimate the quantity of demolition debris generated annually	4-1
Section 5. Major Solid Waste Generators	
a. Identify the major solid waste generators, such as large institutional facilities, large industrial or commercial generators, etc.	5-1

Section 6. Review of local and Regional Solid Waste Planning

- a. Describe any current local and regional planning activities 6-1
- b. Describe past impediments or barriers to development of regional projects 6-2

Section 7. Existing Systems

- a. Existing System Policy and Goals 7-1
- b. History of System Development 7-2
- c. Description of Existing Resource Recovery Programs or Facilities in Use 7-7
- d. Description of Land Disposal Facilities in Use 7-8
- e. Cost to Operate and Maintain the Current System 7-14
- f. Summary of achievements, opportunities, challenges or problems 7-15

Section 8. Proposed System

- a. Describe the technical, financial, demographic, geographic, regional and solid waste system constraints or barriers that limit ability to achieve greater independence from land disposal 8-1
- b. A demonstration that there are no solid waste system alternatives that are more feasible and prudent than the land disposal system 8-2

Section 9. Solid Waste Reduction

- a. Source Reduction Policy and Goals 9-1
- b. Identification of Costs/Budget and Implementation Schedule for Program Implementation 9-3

Section 10. Solid Waste Education Programs

- a. Education Program Policy and Goals 10-1

Section 11. Recycling Programs

- a. Recycling Program Policy and Goals 11-1
- b. Existing Recycling Programs 11-2
- c. Annual Recycling Tonnages Collected 11-3

Section 12. Yard Solid Waste Management

- a. Yard Waste Policy and Goals 12-1

Section 13. Source Separated Organic Materials Composting

- a. Policy and Goals 13-1

Section 14. Municipal Solid Waste Composting

- a. Policy and Goals 14-1

Section 15. Solid Waste Incineration and Energy Recovery

- a. Policy and Goals 15-1

Section 16. MSW land disposal facilities

- a. Policy and Goals 16-1

Section 17. Solid Waste Tire Management Programs

- a. Policy and Goals 17-1

Section 18. Electronic Products

- a. Policy and Goals 18-1

Section 19. Major Appliances

- a. Policy and Goals 19-1

2026 Southwest Regional Solid Waste Plan

Section 20. Automotive Mercury Switches, Motor Vehicle Fluids and Filters, and Lead-Acid and Dry Cell Batteries

- a. Policy and Goals 20-1

Section 21. Household Hazardous Solid Waste (HHW) Management

- a. Policy and Goals 20-1,21-1

Section 22. Demolition Debris Management

- a. Policy and Goals 22-1
- b. Existing practices and programs 22-2

Section 23. Solid Waste Ordinance and Licensing

- a. Status of Ordinances 23-1

Section 24. Solid Waste Staffing

- a. Existing Staffing Levels 24-1

Section 25. Solid Waste Program Funding

- a. Projected Costs 25-1
- b. Tipping Fees 25-2

Section 26. Plan Review and Ten-Year Update

- a. Process 26-1

Section 27. Development of Numeric Goal/Volume Table

- a. Completed GVTs are available in the GVT Appendix 27-1

Section 28. Development of Solid Waste Program Budget

- a. Budget available in budget Appendix 28-1

2026 Southwest Regional Solid Waste Plan

Section 29. Alternatives to Proposed System

- a. Contingency Plan 29-1

Section 30. Environmental and Public Health Impacts

- a. On-site disposal of MSW 30-1
- b. Illegal disposal 30-2

Section 31. Solid Waste Facility Siting Program (if needed)

- a. N/A 31-1

Section 32. Public Participation Program

- a. Documentation 32-1

Section 33. Multi-County Planning

- a. Documentation 33-1

Appendix A. Numeric Goal/Volume Tables

A1-1

Appendix B. Budgets

B1-1

Appendix C. Permits

C1-1

Appendix D. County Ordinances

D1-1

2. Background Information

- a. Demographic, geographic, and regional information
 - Current population distribution

Chart 1: 2020 Population City and Rural Distribution by county and planning area

Geography	Population	Percentage that lives in cities	County Population in rural areas	Persons per square mile
Cottonwood	11,517	71.8%	28.2%	18.0
Jackson	9,989	60.3%	39.7%	14.3
Lac qui Parle	6,719	51.9%	48.1%	8.9
Lincoln	5,640	54.8%	45.2%	10.7
Lyon	25,269	80.2%	19.8%	35.2
Murray	8,179	55.4%	44.6%	11.7
Nobles	22,290	79.5%	20.5%	31.2
Pipestone	9,424	65.8%	34.2%	20.4
Redwood	15,425	65.3%	34.7%	17.7
Renville	14,723	64.1%	35.9%	15.2
Rock	9,704	73.6%	26.4%	20.2
Yellow Medicine	9,528	39.1%	60.9%	12.7
Planning area	148,407	67.4%	32.6%	17.9

Analysis of the demographics of the region shows that the bulk of the residents of the region live within a municipality. For solid waste purposes this should make collection easier for the haulers as the percentage of rural households decrease.

However, rural residential services may see an increase in prices as it becomes less cost effective to provide hauling services in low use areas given the distances and time required.

Source: 2020 Decennial Census, MnGeo Minnesota Geospatial Information office

2026 Southwest Regional Solid Waste Plan

2. Background Information

- a. Demographic, geographic, and regional information
 - Population projections for the next ten years

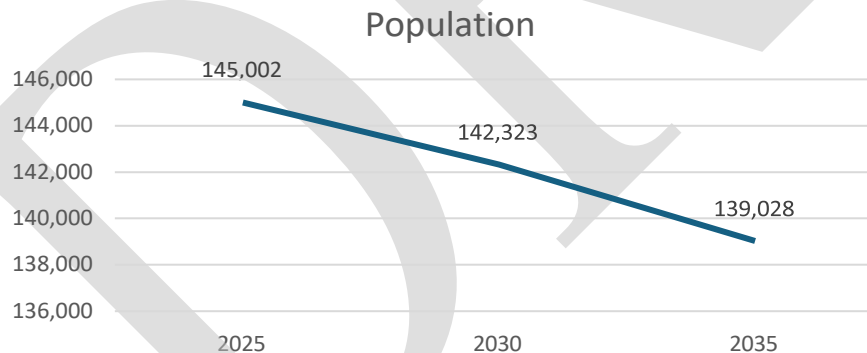
Chart 2: 2020-2035 Population Projections by county and planning area

Geography	2020	2025	2030	2035
Cottonwood	11,517	11,224	11,053	10,824
Jackson	9,989	9,749	9,535	9,274
Lac qui Parle	6,719	6,353	6,070	5,773
Lincoln	5,640	5,513	5,388	5,236
Lyon	25,269	25,294	24,995	24,565
Murray	8,179	7,937	7,674	7,377
Nobles	22,290	22,164	22,275	22,258
Pipestone	9,424	9,099	8,948	8,752
Redwood	15,425	14,872	14,478	14,018
Renville	14,723	14,073	13,597	13,129
Rock	9,704	9,528	9,505	9,428
Yellow Medicine	9,528	9,196	8,805	8,394
Total	148,407	145,002	142,323	139,028

Population projections for the next ten years predict a continuation of the population loss within the region, with slight decreases in the regional centers being enhanced by faster declines in the populations of the smallest, most rural counties.

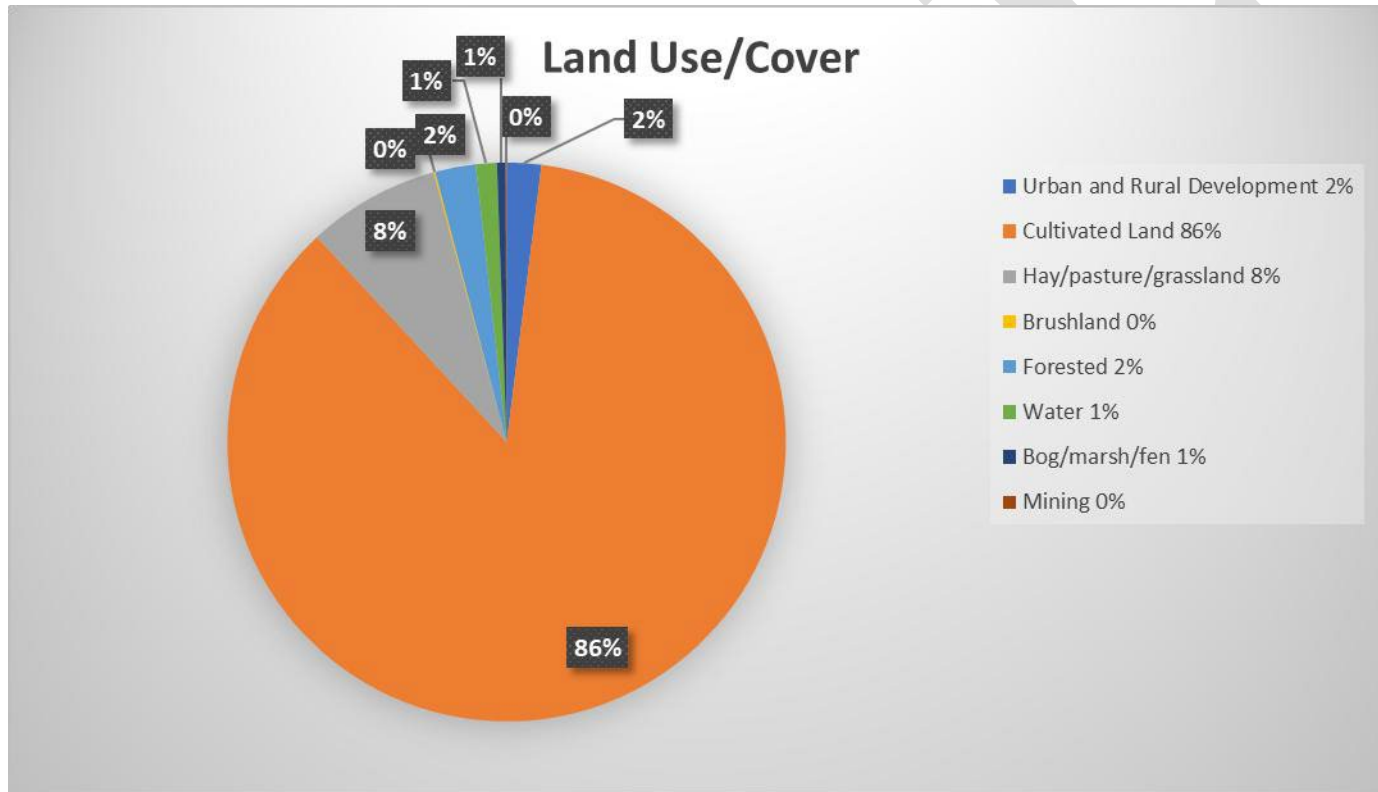
Of the two counties where growth is most likely, Lyon and Nobles, the growth is anticipated to occur within the municipal boundaries of Marshall and Worthington, while the populations in the smaller municipalities and unincorporated areas decline at a faster rate.

Source: 2020 Decennial Census, MnGeo Minnesota Geospatial Information office



2. Background Information

- a. Demographic, geographic, and regional information
 - Current and projected land use patterns



Source: MNGeo, 2014 Southwest Regional Solid Waste Plan

As was noted in the last plan, land use changes very little over time, especially in rural agricultural areas. Cultivated lands (farms) continue to make up 86% of the land use, with hay/pasture/grassland making up an additional 8%, totaling 94% of the region. Urban and rural development make up just 2% of the land use and Mining is almost non-existent. Natural land uses include forest at 2%, water at 1% and both bog/marsh/fen and brush land at less than 1% of land use in the region.

2026 Southwest Regional Solid Waste Plan

2. Background Information

- a. Demographic, geographic, and regional information
 - Current and projected employment and wages

Regional Industry Employment Projections, 2020-2030

Southwest Planning Region	Estimated Employment 2020	Projected Employment 2030	Percent Change 2020-2030
Total, All Industries	195,812	203,504	3.9%
Natural Resources & Mining	5,931	6,026	1.6%
Utilities	713	735	3.1%
Construction	7,573	8,082	6.7%
Manufacturing	30,107	30,719	2.0%
Wholesale Trade	8,045	8,118	0.9%
Retail Trade	18,569	17,653	-4.9%
Transportation & Warehousing	7,385	7,817	5.8%
Information	2,152	2,001	-7.0%
Finance & Insurance, Real Estate	8,098	8,232	1.7%
Professional Services & Mgmt. of Companies	5,283	5,512	4.3%
Admin. Support & Waste Mgmt.	3,421	3,636	6.3%
Educational Services	15,564	16,274	4.6%
Health Care & Social Assistance	29,352	32,081	9.3%
Leisure & Hospitality	11,744	14,382	22.5%
Other Services	6,756	7,462	10.4%
Public Administration	13,193	13,517	2.5%

As can be seen on the accompanying chart, southwest Minnesota continues to be heavily invested in manufacturing with a 2 percent increase in manufacturing jobs being projected by DEED by 2030.

Coming in a close second in terms of overall employment in the region is Health Care and Social Assistance. Including hospitals and nursing care, as well as public programs, healthcare in general is recognized not only as a major employer in the region, but also in terms of economic development strategies, an area where a lack of access to services is having an impact on the rest of the economy as lack of services in the rural areas is forcing residents to turn to more urban areas to seek adequate care.

Interestingly, both of the top two employers by sector are industries that produce a lot of specialized waste that the waste producers largely manage within the industry.

<https://mn.gov/deed/data/data-tools/employment-outlook/>

2. Background Information

- a. Demographic, geographic, and regional information
 - Current and projected employment and wages

The data from DEED indicates that the fastest growing occupations in the region are white collar jobs, including office, administrative, sales and management occupations. We often hear of the skills gap in terms of the needed technical skills for the open positions, but as is often the case in the southwest region we appear to be counter trending, with less skilled occupations being more in demand.

The Southwest Regional Development Commission, working with the federal Economic Development Administration (EDA) often strikes up against this barrier in economic development efforts as EDA promotes the creation of jobs, whereas we have jobs but lack sufficient workforce to fill current vacancies. Simply put, the region needs more people if it is to be able to provide all the necessary services. This will impact the solid waste process as counties and haulers alike face labor shortages and are unable to fill future vacancies.

Regional Occupational Employment Projections 2020-2030



<https://mn.gov/deed/data/data-tools/employment-outlook/>

2. Background Information

- a. Demographic, geographic, and regional information
 - Current and projected employment and wages

Occupational Employment Statistics by Region, 1st Qtr. 2023	Median Hourly Wage	Estimated Regional Employment
Central Minnesota	\$22.71	270,260
Twin Cities Metro Area	\$25.67	1,718,290
Northeast Minnesota	\$22.57	136,490
Northwest Minnesota	\$21.67	215,980
Southeast Minnesota	\$23.44	236,590
Southwest Minnesota	\$22.00	167,580
EDR 6W - Upper MN Valley	\$20.82	16,160
EDR 8 - Southwest	\$21.23	51,900
EDR 9 - South Central	\$22.61	99,520
State of Minnesota	\$24.25	2,827,310

According to DEED's Occupational Employment & Wage Statistics program, the median hourly wage for all occupations in Southwest Minnesota was \$22.00 in the first quarter of 2023, which was the second lowest wage level of the six planning regions in the state. Southwest's median wage was \$2.25 below the state's median hourly wage, equaling 91% of the statewide wage rate, and \$3.67 below the median hourly wage in the Twin Cities metro area. At \$20.82, EDR 6W had the lowest median wage in the region, just below EDR 8 at \$21.23, and well below EDR 9 at \$22.61.

Source: MN DEED, 2023 Southwest Minnesota Regional Profile
https://mn.gov/deed/assets/091523_SOUTHWEST_tcm1045-133262.pdf

2026 Southwest Regional Solid Waste Plan

2. Background Information

- a. Demographic, geographic, and regional information
 - Current and projected employment and wages

Southwest Minnesota Occupational Employment Statistics, 1st Qtr. 2023

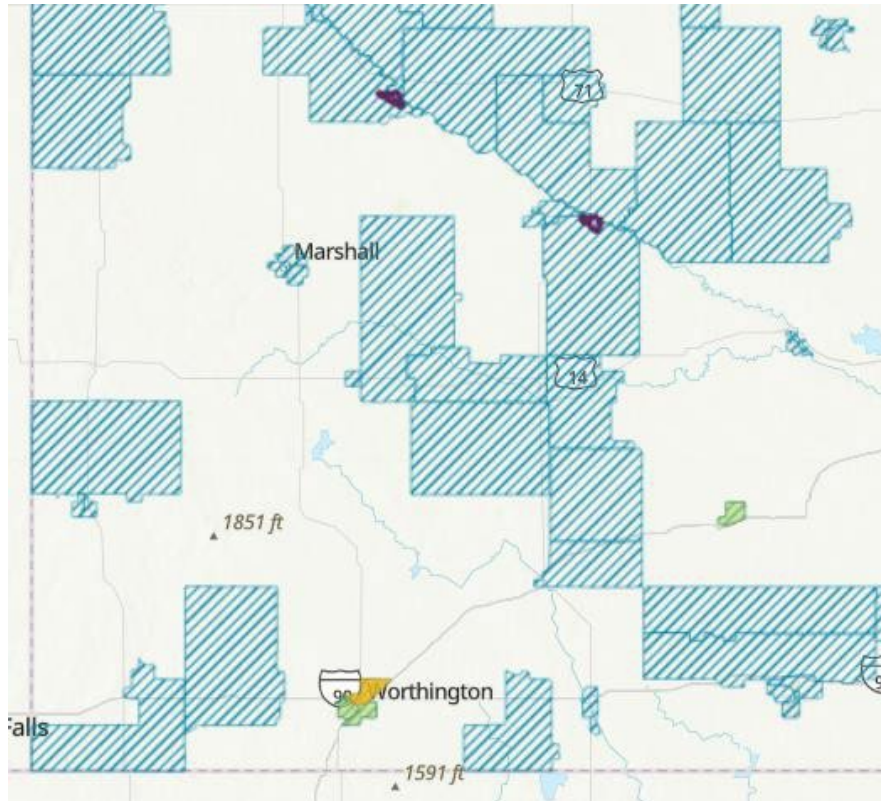
	Southwest Minnesota				State of Minnesota		
	Median Hourly Wage	Estimated Regional Employment	Share of Total Employment	Location Quotient	Median Hourly Wage	Estimated Statewide Employment	Share of Total Employment
Total, All Occupations	\$22.00	167,580	100.0%	1.0	\$24.25	2,827,310	100.0%
Management	\$43.35	9,240	5.5%	0.8	\$51.58	193,760	6.9%
Business & Financial Operations	\$31.64	6,450	3.8%	0.5	\$38.19	201,940	7.1%
Computer & Mathematical	\$37.64	1,770	1.1%	0.3	\$49.73	99,250	3.5%
Architecture & Engineering	\$36.19	2,330	1.4%	0.7	\$40.60	53,100	1.9%
Life, Physical & Social Science	\$31.10	1,450	0.9%	0.8	\$39.37	29,070	1.0%
Community & Social Service	\$25.25	3,730	2.2%	1.1	\$25.82	54,820	1.9%
Legal	\$34.91	540	0.3%	0.5	\$47.87	18,730	0.7%
Education, Training & Library	\$24.54	11,720	7.0%	1.2	\$24.82	158,830	5.6%
Arts, Design, Entertainment & Media	\$23.57	1,600	1.0%	0.7	\$28.80	37,630	1.3%
Healthcare Practitioners & Technical	\$37.65	9,520	5.7%	0.9	\$41.07	186,700	6.6%
Healthcare Support	\$17.32	9,980	6.0%	1.0	\$17.40	162,400	5.7%
Protective Service	\$26.23	2,190	1.3%	0.9	\$25.83	40,620	1.4%
Food Preparation & Serving Related	\$14.29	13,750	8.2%	1.1	\$14.89	216,970	7.7%
Building, Grounds Cleaning & Maint.	\$17.86	4,870	2.9%	1.1	\$18.26	76,210	2.7%
Personal Care & Service	\$15.52	3,110	1.9%	0.9	\$16.96	58,120	2.1%
Sales & Related	\$16.29	14,590	8.7%	1.0	\$18.14	239,500	8.5%
Office & Administrative Support	\$21.34	19,020	11.3%	0.9	\$23.06	345,830	12.2%
Farming, Fishing & Forestry	\$19.96	620	0.4%	2.6	\$19.84	4,060	0.1%
Construction & Extraction	\$27.54	7,140	4.3%	1.1	\$31.00	113,930	4.0%
Installation, Maintenance & Repair	\$25.34	7,770	4.6%	1.3	\$27.95	98,670	3.5%
Production	\$20.48	20,020	11.9%	1.6	\$22.07	209,380	7.4%
Transportation & Material Moving	\$20.47	16,180	9.7%	1.2	\$21.05	227,780	8.1%

Based on location quotient, Southwest Minnesota stands out for having higher concentrations of Farming, Production, Installation, Maintenance, & Repair, Education, Training, and Library, and Transportation & Material Moving workers than the state. The largest occupations in the region include Production, Office and Administrative Support, Transportation & Material Moving, and Sales & Related positions. Not surprisingly, the lowest-paying jobs are concentrated in Food Prep & Serving, Personal Care & Service, Sales & Related, Healthcare Support, and Building, Grounds Cleaning & Maintenance, which tend to have lower educational and training requirements. For the most part, the gap in pay between Southwest Minnesota and the state is also much lower in these jobs.

Source: MN DEED, 2023 Southwest Minnesota Regional Profile
https://mn.gov/deed/assets/091523_SOUTHWEST_tcm1045-133262.pdf

2. Background Information

- a. Demographic, geographic, and regional information
 - Local economic conditions



The MPCA is committed to making sure that pollution does not have a disproportionate impact on any group of people — the principle of environmental justice. This means that all people — regardless of their race, color, national origin or income — benefit from equal levels of environmental protection and have opportunities to participate in decisions that may affect their environment or health.

The MPCA considers tribal areas and census tracts with higher concentrations of low-income residents, people of color, or limited English proficiency as areas of increased concern for environmental justice. This screening tool allows users to identify census tracts where additional consideration or effort is warranted to ensure meaningful community engagement and to evaluate the potential for disproportionate adverse impacts using four criteria:

-  At least 35% of people reported income less than 200% of the federal poverty level
-  40% or more people of color
-  Federally recognized Indian Tribes
-  At least 40% of people have limited English proficiency

In the areas identified as disadvantaged, special attention should be paid to educational programming, specifically targeting BIPOC communities and communities of new immigrants where the dominant language is something other than English. Accessibility of solid waste programs for these communities can result in an overall increase in the proper disposal of MSW and other specialty items.

2. Background Information

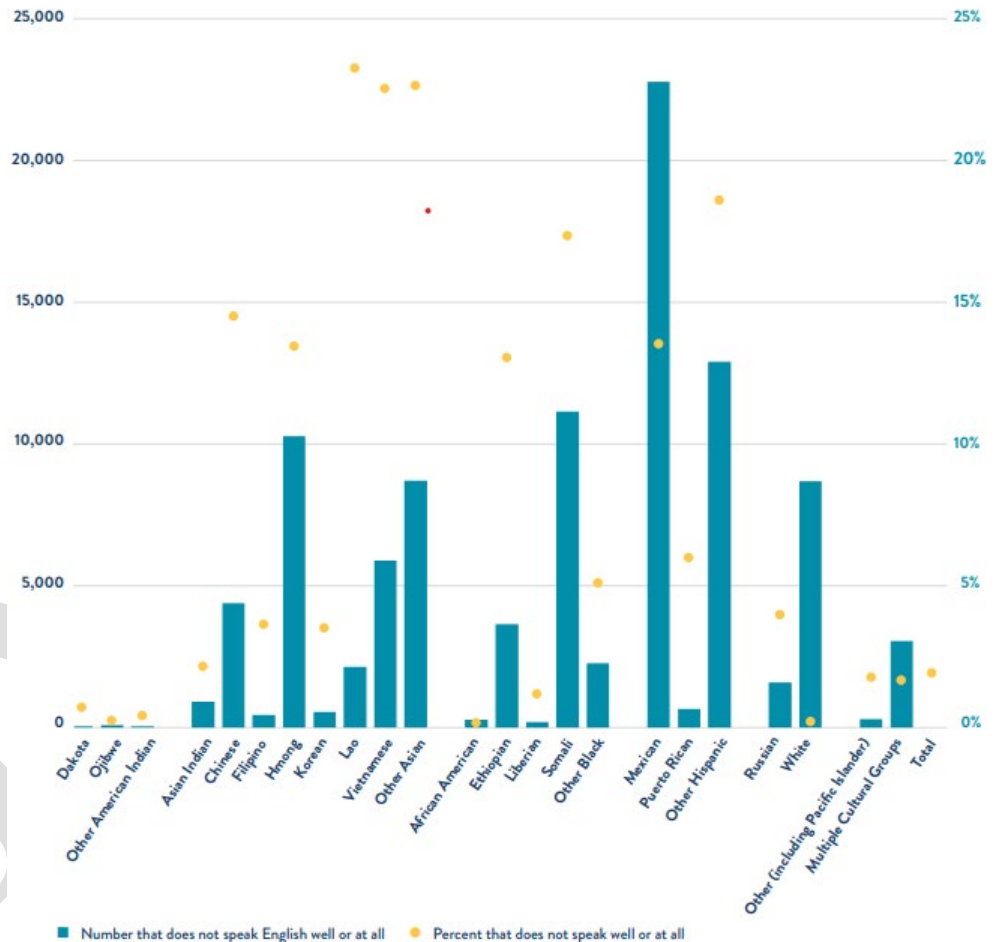
- a. Demographic, geographic, and regional information
 - Local economic conditions

There are more than 100,000 Minnesotans who speak English less than “very well.” In the southwest region this population is most evident in Worthington and Marshall. County solid waste officials will need to translate educational materials into languages other than English in order to reach the most residents.

Translation services are available through Executive Branch State Agencies at <https://translate.mn.gov>. Counties in the southwest should develop solid waste educational materials and request assistance from the Minnesota Pollution Control Agency in accessing state translation services. This would appear to be the most efficient and cost-effective means of achieving the desired educational outcomes.

Source: The Economic Status of Minnesotans 2023, Minnesota State Demographic Center

Minnesotans who do not speak English well, or at all, ages 5+, by Cultural Group



2. Background Information

- a. Demographic, geographic, and regional information
 - Local economic conditions

COST OF LIVING

Southwest Minnesota Cost of Living, 2023										
Family Composition	Number of Workers	Yearly Cost of Living	Hourly Wage Required	Monthly Costs						
				Child Care	Food	Health Care	Housing	Trans- portation	Other	Taxes
Southwest Minnesota										
Single, 0 children	1 FT	\$29,100	\$13.99	\$0	\$397	\$163	\$678	\$720	\$260	\$207
Single, 1 child	1 FT	\$43,224	\$20.78	\$495	\$587	\$449	\$880	\$725	\$355	\$111
2 parents, 1 child	1 FT, 1 PT	\$47,448	\$15.21	\$248	\$908	\$528	\$880	\$838	\$433	\$119
2 parents, 2 children	2 FT	\$63,360	\$15.23	\$746	\$1,184	\$539	\$1,191	\$883	\$575	\$162
State of Minnesota										
Single, 0 children	1 FT	\$34,992	\$16.82	\$0	\$403	\$159	\$961	\$760	\$330	\$303
2 parents, 1 child	1 FT, 1 PT	\$60,720	\$19.46	\$574	\$921	\$555	\$1,216	\$886	\$517	\$391
Source: DEED Cost of Living tool										

Source: DEED Cost of Living tool

According to DEED's Cost of Living tool, the basic needs budget for an average Minnesota family (which consists of 2 adults and 1 child, with 1 full-time and 1 part-time worker) was \$60,720 in 2023. The cost of living for a similar family in Southwest Minnesota was \$47,448 – which was the lowest of the 6 planning regions in the state. The highest monthly costs were for transportation, food, and housing; though the region's taxes, housing, and childcare costs were significantly lower than the rest of the state. In order to meet the basic cost of living for the region, the workers in the family scenario described would need to earn \$15.21 per hour over the course of 60 hours per work week. DEED's Cost of Living tool provides different estimates for household compositions including single people, partnered couples, and up to 4 children. For a single person living alone and working full-time, the estimated yearly cost in Southwest would be \$34,992, which would require an hourly wage of \$16.82 to meet the basic needs standard of living (Table 8). That was also the lowest cost of living in the state.

2. Background Information

a. Demographic, geographic, and regional information

- Median Household Income

Source: MN DEED, 2023 Southwest Minnesota Regional Profile
https://mn.gov/deed/assets/091523_SOUTHWEST_tcm1045-133262.pdf

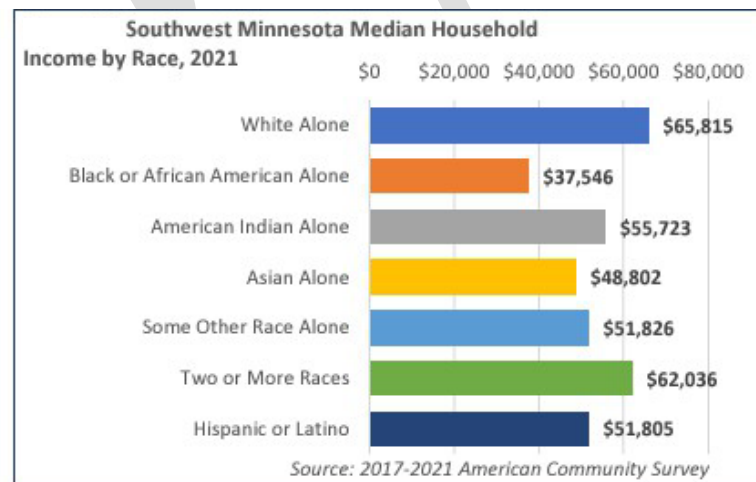
HOUSEHOLD INCOMES

Household incomes were significantly lower in Southwest Minnesota than the rest of the state. The median household income in Southwest was \$64,119 in 2021, compared to \$77,706 in Minnesota. Just under 40% of the households in the region had incomes



below \$50,000 in 2021, compared to 31.4% of households statewide. Another 33.6% earned between \$50,000 and \$100,000, and 27.3% earned over \$100,000 per year, compared to 31% and 37.7% statewide, respectively.

Median household incomes varied by race or origin in the region. Black or African American households reported the lowest incomes in Southwest Minnesota, with a median income that was more than \$30,000 lower than for white households. With the exception of households of two or more races, all of the other race and origin groups had median incomes around \$50,000 per year, which was about \$16,000 lower than the median household income for whites.



2. Background Information

- a. Demographic, geographic, and regional information
 - Summary of demographic, geographical and regional constraints

Population density and hauling distances for solid waste will likely continue to influence the development of solid waste management systems due largely in part to the economics of volumes of materials needed to make hauling fiscally feasible. Transfer stations or collection points will likely continue to be utilized in less densely populated areas of the planning area. Location and distance of services and reverse haul are economic drivers that influence solid waste management flows and marketing. Lyon and Rock counties have a haul arrangement where MSW is hauled to Lyon and C&D is hauled to Rock, thus avoiding empty back hauls.

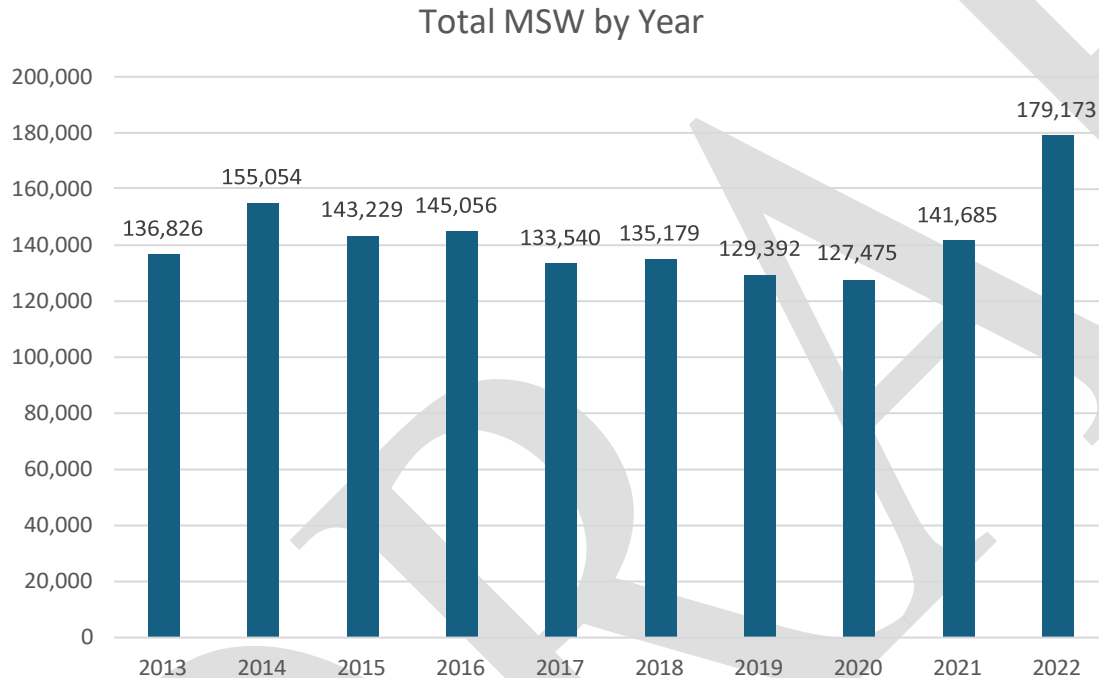
Regional constraints on the availability of construction and demolition landfill space will place considerable pressure on the counties in the region especially considering the proposed new regulations calling for lined and leachate-controlled landfills. The availability and cost of construction and demolition space will have a significant impact on the region. Several of the counties in the Solid Waste Commission are partnering on a C&D grant to address these constraints.

Recycling market availability will also continue to have a significant impact on the amount of MSW that is landfilled. Again, low population density and hauler distances have a large impact on the availability of services for the public.



3. Solid waste collection and generation

a. The amount of solid waste generated annually



Source: Southwest SCORE Data

As can be seen by the accompanying chart, the total MSW collected in the region was fairly steady with a slight downwards trend from 2016 to 2020. The pandemic years of 2021 and 2022 show a rather large increase in MSW generated regionally, with 179,173 tons being generated in 2022 being the highest yearly total since the current plan was adopted in 2014.

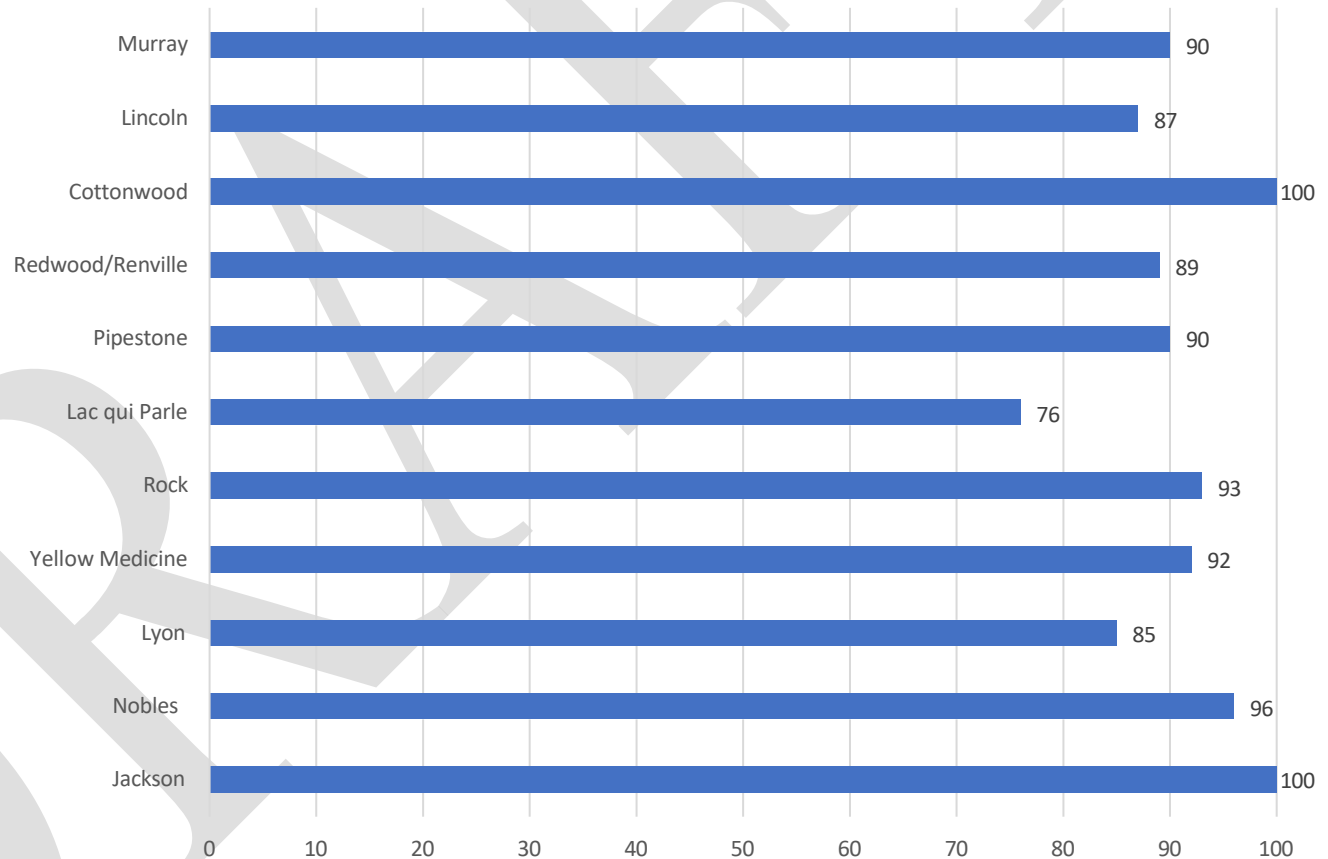
The Southwest Solid Waste Administrator's attribute this largely to a backlog of MSW that was accumulated and taken to the landfills as residents cleaned out and cleaned up after the pandemic.

3. Solid waste collection and generation

- b. Estimate the percentage of city and rural residents with solid waste collection service

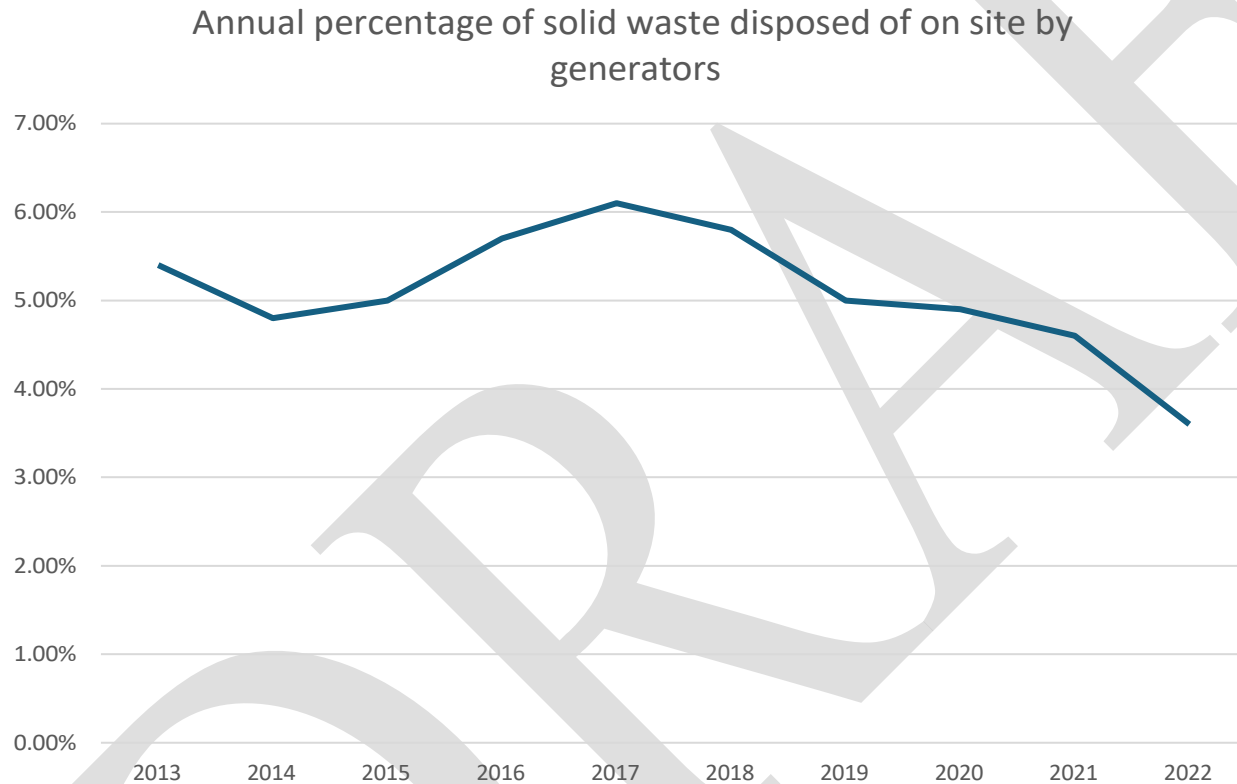
All figures are estimated based on information collected by county staff. Communities have a higher percentage rate of collection service. Arrangements for solid waste collection range from the hauler working directly with the resident to the city contracting with the hauler for part or all of the services. The estimated percent of city residents with service in the region is 100% but ranges by county from 90% to 100%. In rural areas there are often fewer residents taking advantage of a collection service, often using self-haul or on-site disposal (burn / bury).

Estimated percentage of residents with waste collection services



3. Solid waste collection and generation

- c. Estimate the annual percentage of solid waste disposed of on site by generators



Source: MPCA SCORE Data

Each year haulers, the landfills, and the solid waste administrators, report increased tonnages from rural residents. County Assessors reports show an increase in the number of marginal home deconstructions in the rural areas.

Property/farm/commodity values are too high to allow for properties to be underutilized, so these sites are abandoned. As the number of rural residences declines and environmental concerns over other disposal methods increase, the rural collection numbers rise. This results in the trend we are seeing region wide of a decrease in on site disposal following a slight bump from 2015 to 2019.

2026 Southwest Regional Solid Waste Plan

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Residential Solid Waste Rate Ranges for Containers by County Per Month

County	30-35 gal. tote	40 gal. tote	64/65 gal. tote	95\96 gal. tote	1.5 Ton Roll-off
Cottonwood	\$27.44		\$31.28	\$37.86	\$54.06
Jackson	\$7.70-\$17.39		\$13.02-\$20.02	\$13.90-\$30.66	\$57.53-\$80.00
Lac qui Parle	\$14.00-\$14.50		\$16.00-\$17.00	\$17.50-\$19.00	
Lincoln	\$10.47-\$11.79		\$12.67-\$18.00	\$14.88-\$26.00	\$30.00
Lyon	\$10.34		\$12.60 -\$19.53	\$19.49-\$27.58	\$66.49
Murray	\$8.50- \$12.00		\$13.25-\$14.00	\$16.55-\$23.22	
Nobles	\$10.73-\$14.26		\$13.47-\$19.76	\$16.75-\$26.25	
Pipestone	\$12.00-20.25	\$20.65	\$13.50-22.85	16.00-25.05	
Redwood	\$9.43-\$11.75		\$11.75-\$15.75		\$18.75-\$24.23
Renville	\$11.50		\$14.00	\$16.50	
Rock		\$20.07-\$24.76		\$31.24-34.76	\$37.10
Yellow Medicine	\$8.23-\$13.44		\$15.00-\$16.28	\$17.00-\$18.68	

As can be seen from the table above, the rates for containers for solid waste vary widely throughout the region. There is really no incentive for the haulers to cooperate in the data gathering and many of the haulers were unwilling to share specifics of their rates, citing the need to maintain a competitive advantage over other haulers. Haulers who primarily cover single areas exclusively were much more likely to share their rates. Many of the rates listed are the same as, or similar to, the rates from the existing plan, which suggests that regardless of the increases in operational costs, there is only so much movement within the cost structure that residents will tolerate before looking for other alternatives.

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Waste Hauler	Number of Counties Served	Cottonwood	Jackson	Lac Qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	Redwood	Renville	Rock	Yellow Medicine
City of Luverne 305 E Luverne St Luverne, MN 56156 507-449-2388	1											X	
City of Pipestone 119 2nd Ave SW Pipestone, MN 56164 507-825-3324	2					X			X				
City of Tyler 230 North Tyler St. Tyler, MN 56178 507-247-5556	2				X	X							
Clobes Sanitation 317 2nd Street SE Fairfax, MN 55332 507-426-8362	2									X	X		

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Waste Hauler	Number of Counties Served	Cottonwood	Jackson	Lac Qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	Redwood	Renville	Rock	Yellow Medicine
CMF Tree Service 1560 45th St SW Willmar, MN 56201 320-444-0072	2									X	X		
Denny's Sanitation 213 N Union St Rock Rapids, IA 51246 712-472-2293	2							X				X	
Duininck, Inc. 337 Oxford St Worthington, MN 56187 507 -372-7191	1							X					
Henning Construction Inc. 201 Louisiana Ave Adrian, MN 56110 507 -483-2486	1							X					
Hometown Sanitation 355 Cindy Street Windom, MN 56101 507-832-8946	2	X	X										

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Waste Hauler	Number of Counties Served	Cottonwood	Jackson	Lac Qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	Redwood	Renville	Rock	Yellow Medicine
Ketterling Services Inc. 401 S Cedar St. Luverne, MN 56156 507-283-2863	3						X	X				X	
Mid-State Roll-Off Service 1149 MN-22, Hutchinson, MN 55350 (320)234-7961	1										X		
Mikes Mini Excavating 31344 130th St. Fulda, MN 56131 507-370-1112	1							X					
Mike's Roll-Offs 1611 Chandler Avenue N, Glencoe, MN 55336 (320) 510-1131	1										X		
Olson Sanitation LLC 175 7th St N, Dawson, MN 56232 320-769-4610	4			X		X				X			X
Purple Roll Off 2724 9th St #2, Glencoe, MN 55336 952-393-7411	2									X	X		
R & E Sanitation 32729 County Highway 2 Morton, MN 56270 507-697-6413	2									X	X		

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Waste Hauler	Number of Counties Served	Cottonwood	Jackson	Lac Qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	Redwood	Renville	Rock	Yellow Medicine
Redwood-Renville Solid Waste Authority 907 W Bridge St, Redwood Falls, MN 56283 507-637-1800	3					X				X	X		
Reker Construction & Aggregate, LLC 22119 MN-91, Adrian, MN 56110 507-483-2544	1							X					
Renville Sibley Sanitation 311 2nd St NW Gibbon, MN 55335 507-834-6168	2									X	X		
River View Sanitation 16188 Co Rd 29, New Ulm, MN 56073 507-354-5355	2									X	X		
Safety-Kleene Systems Inc. 2000 N Westport Ave Sioux Falls, SD 57107 605-332-0231	1			X									

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Waste Hauler	Number of Counties Served	Cottonwood	Jackson	Lac Qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	Redwood	Renville	Rock	Yellow Medicine
Southwest Sanitation 110 N 11th St, Marshall, MN 56258 507-532-4500	6				X	X			X	X	X		X
Sweetman Sanitation 611 South Avenue West Echo, MN 56237 507-616-8774	4					X				X	X		X
Tostenson, Inc. 1040 MN-7, Montevideo, MN 56265 320-269-7243	1			X									
Town & Country Sanitation 809 N 2nd Ave E, Rock Rapids, IA 51246 712-472-2493	1											X	
VanDyke Sanitation 340 Howard St, Edgerton, MN 56128 507-442-7241	2					X			X				

3. Solid waste collection and generation

- d. Describe the solid waste collection and disposal rate structure, including the current range of residential and commercial/industrial solid waste collection rates.

Waste Hauler	Number of Counties Served	Cottonwood	Jackson	Lac Qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	Redwood	Renville	Rock	Yellow Medicine
Veit Disposal 5920 15th St NW, Rochester, MN 55901 (507) 281-3867	2							X		X			
Waste Connections Schaap Sanitation 27008 271st St Worthington, MN 56187 507-376-9218	6	X	X				X	X	X			X	
Waste Management 905 Channel Pkwy Marshall, MN 56258 507-388-1157	9	X	X		X	X		X	X	X	X		X
West Central Sanitation 4089 Abbott Dr, Willmar, MN 56201 800-246-7630	4					X				X	X		X

3. Solid waste collection and generation

- e. List any financial incentives for waste reduction and recycling.

Many of the counties within the region hold special events to keep recyclables out of the landfill. Events include:

Paper Shredding Events for county residents.

Household Hazardous Waste Collections throughout the year.

Special Item Collections – small fees for recycling appliances, electronics, tires, and bulbs. Open acceptance policy.

Pesticide Jug Collections – free to county residents, multiple collections throughout the year. Sponsored by the MN Dept of Agriculture.

Holiday Lights Collection – free to county residents from November through January each year.

Battery Recycling – free to county residents. There are collection boxes for both rechargeable and non-rechargeable batteries.

The only specific financial incentive program in the region is with Schaap Sanitation in Nobles County and is a Recycling Services Agreement. Schaap is paid \$43.00 per ton for the first 4,200 tons of recyclable material removed from the County Solid Waste stream for the calendar year, then \$47.00 per ton for tonnage over 4,200 in a calendar year, up to a ceiling of 4,800 tons. The County is not responsible for any collection in excess of 4,800 tons in one calendar year. There is also a 15% Commercial Tipping Fee at the landfill so if a business recycles more, they will be paying less than what goes to the landfill as garbage. Same can apply to residents if they have a lot of garbage that has recyclables in it. They can go with a smaller trash can if they recycle more.



2026 Southwest Regional Solid Waste Plan

3. Solid waste collection and generation

f. Describe the solid waste composition

Lyon County Regional Landfill - 2013 Waste Composition Results

Material	Mean	Conf Int. (90%)		Material	Mean	Conf Int. (90%)	
		Lower	Upper			Lower	Upper
PAPER	22.7%	19.6%	25.7%	METAL	3.9%	3.1%	4.8%
1 Newsprint (ONP)	1.5%	1.0%	2.0%	29 Aluminum Beverage Containers	0.5%	0.4%	0.6%
2 High Grade Office Paper	1.3%	0.7%	1.9%	30 Other Aluminum Steel/Tin (Ferrous)	0.5%	0.2%	0.7%
3 Magazines/Catalogs	0.8%	0.5%	1.1%	31 Containers	0.7%	0.5%	0.9%
4 Phone Books	0.0%	0.0%	0.1%	32 Other Metal	2.2%	1.4%	3.1%
5 Gable Top/Aseptic Containers/Cartons	0.6%	0.3%	0.9%	GLASS	3.0%	0.4%	5.6%
6 OCC and Kraft Bags	3.2%	2.3%	4.1%	33 Beverage Container Glass	0.8%	0.5%	1.2%
7 Boxboard	2.6%	2.1%	3.1%	34 Glass Containers	0.4%	0.3%	0.6%
8 Compostable Paper	8.2%	6.7%	9.8%	35 Other (Non-Container) Glass	1.7%	0.0%	4.2%
9 Mixed Recyclable Paper	3.0%	2.2%	3.8%	ELECTRONICS	1.3%	0.7%	1.8%
10 Non-Recyclable Paper	1.5%	1.0%	1.9%	36 Laptops	0.0%	0.0%	0.1%
PLASTIC	17.7%	15.7%	19.7%	37 Computer Monitors		not found	
11 #1 PET Beverage Containers	0.8%	0.6%	1.1%	38 Televisions	0.1%	0.0%	0.4%
12 Other PET (e.g. jars and clamshells)	0.5%	0.4%	0.6%	39 Printers	0.1%	0.0%	0.3%
13 HDPE Bottles/Jars	0.6%	0.5%	0.8%	40 All Other Electronic Items	0.9%	0.5%	1.4%
14 Other HDPE	0.7%	0.3%	1.1%	ORGANIC	30.9%	26.5%	35.3%
15 PVC - #3	0.1%	0.0%	0.1%	41 Yard Waste	1.8%	1.0%	2.6%
16 Polystyrene - #6	1.4%	0.6%	2.3%	42 Food Waste	15.6%	11.9%	19.3%
17 LDPE (Rigids) - #4	0.1%	0.0%	0.3%	43 Wood	6.6%	3.1%	10.0%
18 Polypropylene - #5	0.7%	0.3%	1.1%	44 Other Organic Material	7.0%	4.4%	9.6%
19 Other #7 Plastics	0.0%	0.0%	0.0%	OTHER WASTES	20.2%	14.5%	26.0%
20 PLA & Compostable Plastics		not found		45 Mattresses/Box Springs		not found	
21 Bag and Film Film Plastic	6.3%	5.3%	7.4%	46 Appliances & Furniture	2.7%	1.1%	4.4%
22 Other Plastic (nonpackaging)	6.3%	5.2%	7.5%	47 Textiles & Leather	5.7%	3.9%	7.4%
HHW	0.3%	0.0%	0.5%	48 Carpet	1.5%	0.4%	2.6%
23 Batteries	0.1%	0.0%	0.1%	49 Sharps and Infectious Waste		not found	
24 Mercury Containing Lamps		not found		50 Other Not Elsewhere Classified	10.4%	6.0%	14.7%
25 Paint Containers	0.1%	0.0%	0.2%	Total	100.0%		
26 Oil Containers & Filters		not found		No. of Samples	30		
27 Smoke Detectors		not found					
28 Other HHW	0.1%	0.0%	0.3%				

3. Solid waste collection and generation

f. Describe the solid waste composition

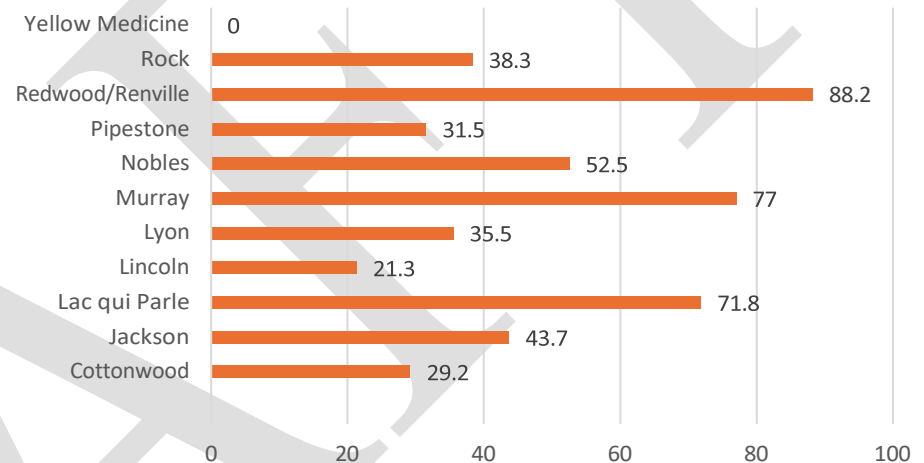
Page 3-12 is the solid waste composition determined by the most current waste composition study which was conducted at the Lyon County Landfill in 2013. Given the amount of solid waste that goes to the Lyon County Landfill, and the amount generated regionally, we can extrapolate that the regional solid waste composition is similar to that identified within the 2013 Lyon County Study.

The SCORE Report data shows capture rates for all materials are generally all over the board in the region. A few of the counties are already successful in their capture rates for aluminum cans. The regional solid waste administrators will be working on best practices to target aluminum can recycling in the region.

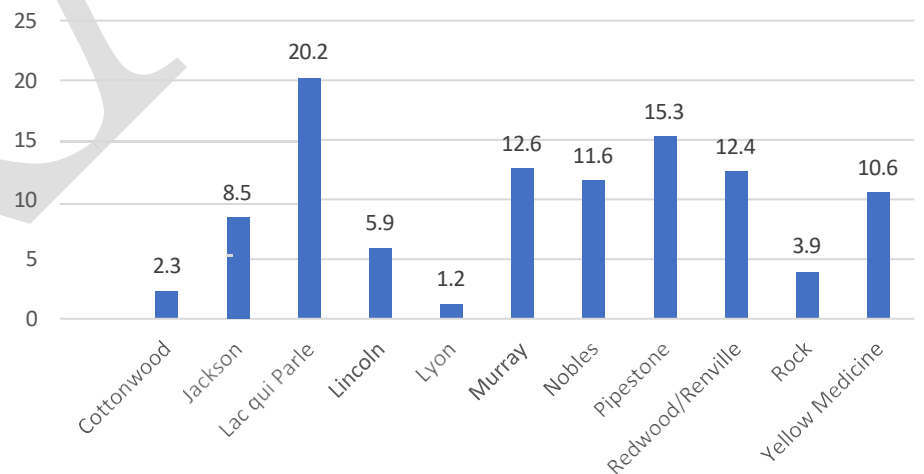
The solid waste administrators are also beginning discussions on the viability of establishing a regional transfer station to consolidate mixed plastic waste for shipment to a recycling facility in Lennox, South Dakota. ZahnTech will take any triple-washed plastics for use in the production of recycled fence posts.

Both proposals will be discussed in more depth in Sections 9 and 10.

Capture Rate for Aluminum Cans



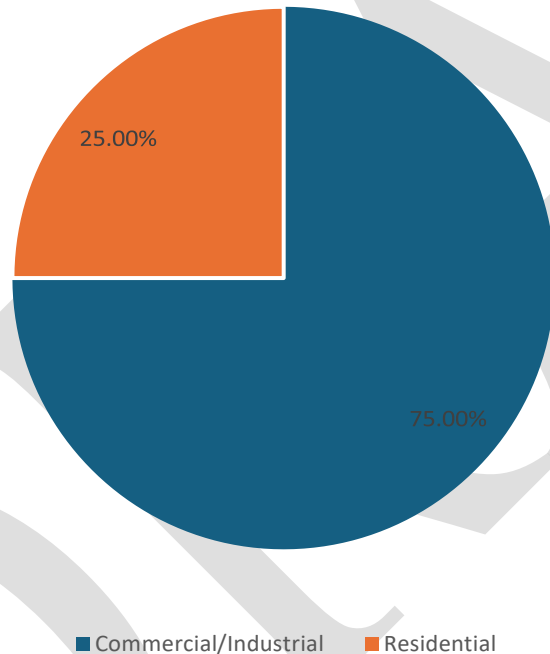
% Capture Rate for Mixed Plastics



3. Solid waste collection and generation

- g. Estimate the annual percentage of solid waste from residential and commercial/industrial solid waste generators

MSW By Source



Percentages are calculated based on the five-year averages from the Historical Data section of the 2024 Goal Volume Tables (GVT).

Projected rates for solid waste for residential versus commercial/industrial are estimated to be 75% commercial/industrial and 25% residential.

3. Solid waste collection and generation

- h. Summarize the solid waste collection and generation constraints and opportunities that have impacted or may impact the existing or proposed system

Several constraints and problems related to solid waste collection in Southwest Minnesota have been identified by the Solid Waste Administrators. These include:

1. Limited transportation networks that hinder the diversion of certain materials from landfilling, resulting in a loss of recyclable mattresses and other materials.
2. Contractors in the region not prioritizing waste separation on-site, despite the availability of outlets for recycling various materials.
3. Distances to the nearest landfill, making waste disposal costly and difficult for residents, particularly for C&D waste disposal.
4. Aging population and agricultural-based economy leading to an increasing number of abandoned farms with dilapidated buildings that require demolition and removal, but residents cannot afford the cost of hiring companies for demolition and waste transportation.
5. Increasing costs of waste disposal and tipping fees due to shrinking landfill space and lack of other landfills in the region.

6. The rise in packaging due to online shopping, leading to full recycling trailers and the problem of unbroken down packaging and non-recyclable items being put in recycling bins.

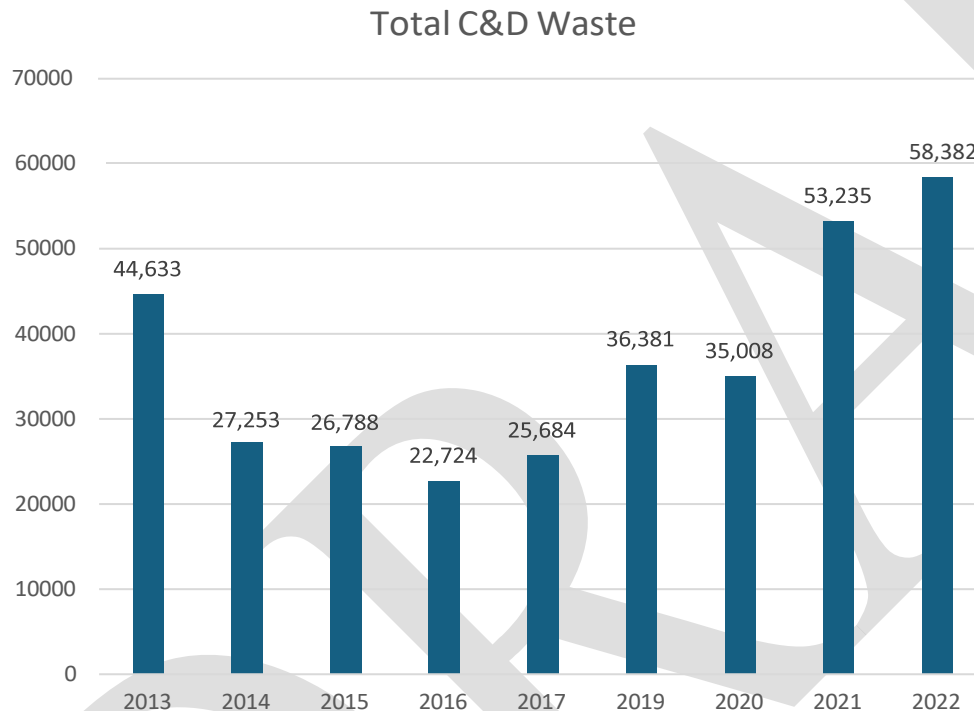
7. Lack of education and funding for recycling programs, resulting in a lack of recycling, wish-cycling, and improper disposal of non-recyclable items.

In addition to constraints and problems, several opportunities have also been identified:

1. A new business in Lennox, South Dakota is now taking ALL plastics that have been triple-washed for use in making fence posts. This represents an opportunity for the region to prevent large scale plastic waste from entering the landfill. A prominent business in Nobles County has already reduced the amount of waste plastic they send to the landfill significantly.
2. There is also the possibility of utilizing a commercial wood grinder to reduce the amount of wood waste from new construction and demolition. A company in Iowa will go onsite with a grinder capable of processing 24 tons in a single visit.

4. Construction and Demolition Debris

- Estimate the quantity of demolition debris generated annually



The table at left illustrates the average reported construction and demolition waste for the region. C&D waste that is disposed of outside the county it is generated in is not always accurately accounted for.

The self hauling of C&D waste also contributes to the vagueness of the numbers as given our location, some of the waste is disposed of in other counties and even states outside the region.

The information that MPCA receives is ONLY from in-state facilities. Jackson and Rock are likely the only two counties that may have this waste flowing directly from the generator to an out-of-state facility.

Source: Minnesota Pollution Control Agency

2026 Southwest Regional Solid Waste Plan

5. Major Solid Waste Generators

- a. Identify the major solid waste generators, such as large institutional facilities, large industrial or commercial generators, etc.

Cottonwood	Jackson	Lac qui Parle	Lincoln
Toro-Manufacturing waste picked up weekly KwikTrip (Windom) 60T McDonalds(Windom) 60T	AGCO – 3100 T Cardboard, Paper, Plastic, Scrap Iron, Wood Pallets	Johnson Memorial Hospital (Dawson) 99T Madison Healthcare Services (Madison) 83 T	Hendricks Community Hospital & Nursing Home 72T
Balzer-Manufacturing waste picked up weekly DAC 30T	Kozy Heat – 950 T Cardboard, Paper, Plastic, Wood Pallets	Puris (Dawson) 96T	Avera Hospital & Nursing Home
Mountain Power-Manufacturing waste picked up weekly Cottonwood County 30T	Hitch Doc – 2100 T Cardboard, Paper, Plastic, Scrap Iron, Wood Pallets	MMN Elementary School (Madison) 38 T Stevens Elementary School & Dawson-Boyd High School (Dawson) 96T	RTR School in Tyler 74T
Iowa Pork Processors-Manufacturing waste picked up weekly HyVee (Windom) 60T		Lac qui Parle Valley High School (Madison) 66T	Have seen spikes in waste from various wind farm construction and refurbishing projects in the last 3-5 years. 300T
Maynards (Mountain Lake) 50T		Ag Processing Inc. (AGP) (Dawson) 34T	

The Solid Waste Administrators used their SCORE information to estimate which businesses/organizations generate the most MSW based on the amount of recyclable material they generate. Many of the larger generators contract with garbage services for solid waste disposal; therefore, amounts are unknown because the garbage service is tracked (disposal) not the generator. Please contact the waste haulers for specific account information if more detail is required as the haulers consider this private information.

2026 Southwest Regional Solid Waste Plan

5. Major Solid Waste Generators

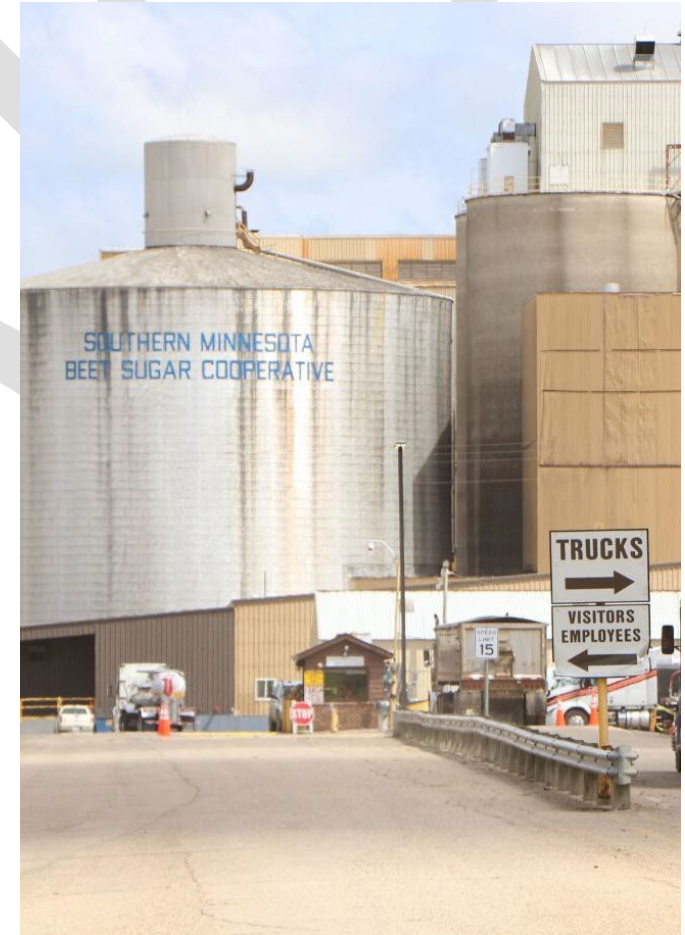
- a. Identify the major solid waste generators, such as large institutional facilities, large industrial or commercial generators, etc.

Lyon	Murray	Nobles	Pipestone	Redwood
ADM – Corn processing 1,179T	Monogram Meats – meat processing 2,400 T	JBS – hog processing Turkey Valley – turkey processing 3,600T	Fey Industries – Edgerton 103 T	1. Redwood Falls Hospital 207T 2. North Star Industries 176T
SFC Global Supply Chain – ICP 1,348T	Page One Printing 181T	Hy-Vee, Fareway Foods, Walmart 240T	JBS Pipestone – hog processing – 30 T	3. Schulte Homes (Redwood Falls) 1,080T 4. Farmers Union Processing/Central Bi- Products 730T
Turkey Valley – turkey processing 414T	Murray County Medical Center (Slayton) 173T	Highland, Bedford – Manufacturing 1,080T		5. Jonti-Craft (Wabasso) 976T 6. Jackpot Junction 520T
SMSU, Marshall, RTR, TMB, Minneota, Lakeview Public Schools	Murray County Central, Fulda Public Schools	MN West, Worthington, Adrian, Round Lake/Brewster Public Schools		7. Daktronics (Redwood Falls) 300T
Avera Marshall Regional Medical Center		Walmart, 180T		8. Highwater Ethanol (Lamberton) 328T

5. Major Solid Waste Generators

- a. Identify the major solid waste generators, such as large institutional facilities, large industrial or commercial generators, etc.

Renville	Rock	Yellow Medicine
1. Southern Minnesota Beet Sugar Cooperative (SMBSC) 1,184 T	Luverne Public Schools 256 T MSW, Food, Paper	Granite Falls Energy, LLC Farmer's Co-op Elevator (Hanley Falls) 11T
2. Werner Manufacturing (Sacred Heart) 348T	Minnesota Veterans Home & Sanford Health 420 T MSW, Food, Medical Waste	Fagen, Inc.
3. Minnesota Beef (Buffalo Lake) 520T	Premium Minnesota Pork 350 T Food, Cardboard, metal	Yellow Medicine East Schools
4. Renville County Hospital & Clinic (Olivia) 91T	Sunshine Foods 240 T MSW, Cardboard, plastic, food	Avera Medical Center Granite Falls
	Manley Tire and Oil 500 T Waste tires, waste oil, waste batteries	Spec-Sys 33T



6. Review of local and Regional Solid Waste Planning

- a. Describe any current local and regional planning activities



There is a long history in southwest Minnesota of regional cooperation and planning around solid waste. The Southwest Regional Solid Waste Commission meets between 4 and 6 times a year to talk about matters of concern to the counties in southwest Minnesota. The Solid Waste Commission, as well as the Southwest Solid Waste Administrators Group, have been in discussion on the future of Demolition Landfills in the region. New proposed rules by the Minnesota Pollution Control Agency regarding lining and leachate management at C&D landfills have been the primary concern as the new 10-year solid waste plan is being developed.

Another topic for planning in the southwest region has been around a regional waste-to-energy facility. In 2004, there was a proposal to construct such a facility in Lamberton, in Redwood County, but the capital expenditure required proved to be too much. With the increased costs of landfilling MSW, the counties have once again started looking into the costs and benefits associated with the development of a waste-to-energy facility sited somewhere within the Solid Waste Commission footprint. In 2022, the Commission visited the Wilmarth waste-to-energy facility in Mankato.

The Solid Waste Administrators group meets on a monthly basis to dig more deeply into the above topics and try to sort through the available information so that they can report out to the Solid Waste Commission and propose a direction forward.

6. Review of local and Regional Solid Waste Planning

- b. Describe past impediments or barriers to development of regional projects.

In the past, one impediment to joint regional projects has been the difficulties mentioned earlier around the geography and the sparseness of the population in the region. Transportation is also an impediment to the development of region-wide projects as access to the transportation network and the expense of long-distance hauling for lower amounts of MSW makes it difficult to cash flow regional efforts.

Perhaps the largest obstacle to overcome in the development of regional projects is the lack of an adequate resource base. Many of the counties in the Southwest Regional Solid Waste Commission are very small and lack the tax base to justify the expense of a larger region wide effort. For example, Lincoln County has a population of just 5,511 according to the 2022 MN State Demographers Office Estimate, with the greatest source of revenue within the county being transfer payments, specifically social security payments and cash rent. The simple lack of access to capital resources is a large barrier to the development of regional projects.

The location of the southwest region can also act as an impediment to regional efforts. Situated adjacent to both South Dakota and Iowa, MSW haulers have a variety of options for disposal, and the transfer of MSW to adjacent states with different regulatory structures can impact the viability of any regional project development. It will be interesting to see how the continuing talks among the members about joint projects to deal with the proposed C&D waste rules may come to fruition and what additional barriers may be encountered.

Lincoln County, Minnesota



<https://www.dot.state.mn.us/maps/gdma/data/mapfinder/countyHTMLs/lincoln.html>

6. Review of local and Regional Solid Waste Planning

- c. Address the resolution of conflicting, duplicative, or overlapping local solid waste efforts

Major Accomplishments of Regional Solid Waste Management Efforts:

- Effective facilitation of communication between the counties.
- Coordinated development of solid waste ordinances, reduces cost.
- Regional Household Hazardous Waste Facility.
- Multi-County mobile HHW collection unit.
- Development of regional landfills.
- Reciprocal agreement between region's landfills.
- Coordinated application and implementation of education grants.
- Recognition as an organized body.
- Writing and adopting a Region-wide waste management plan for all twelve counties in 2014.

The unique development of the Southwest Regional Solid Waste Commission has minimized the amount of conflicting policies and programs around solid waste efforts in the region. The solid waste administrators meet as a group monthly to discuss programming functions and develop strategies for increasing the recycling rates in the region. Of particular interest are programs that can be housed at one of the landfills operated by the members, where the counties can coordinate the disposal of items such as mattresses and box springs. Any conflicts that arise are typically dealt with during the development process, and open communications among the solid waste administrators results in a minimum level of friction between local and regional efforts.

At the policy level, the local elected officials on the Solid Waste Commission are able to address issues in a timely matter. The Commissioners maintain a close working relationship with the administrators and with each other, which results in a more regional thought process for the Commissioners. Policy issues can be generated at the local or county level and be vetted through the Solid Waste Administrators with possible solutions then being presented to the Commissioners. This results in an organized process of conflict resolution that has proven to effectively deal with most areas of concern within the region.

7. Existing Systems

a. Existing System Policy and Goals

The goal of the SWRSWC and member counties is to foster an integrated approach to solid waste management in the region and to follow the order and preference of waste management strategies identified in 115A.02 [Minnesota Waste Management Act]. The intent of the SWRSWC and member counties is that they cooperate in a joint venture to provide the greatest public service benefit possible for the entire contiguous twelve (12) county area encompassed by the Counties in planning, management, and implementation of methods to deal with solid waste in southwest Minnesota.

The SWRSWC and member counties support policies and implementation measures that result in a cost effective, timely, and prudent management of waste in the region, including research and feasibility for implementation of: 1) Waste reduction and reuse; 2) Waste recycling; 3) Composting of source separated compostable materials, including but not limited to yard waste and food waste; 4) Resource recovery through mixed municipal solid waste composting or incineration; 5) and disposal which produces no measurable methane gas or which involves the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale; and 6) Land disposal which produces measurable methane and which does not involve retrieval of gas as a fuel for the production of energy to be used on-site or for sale.

The SWRSWC and member counties aim to increase the public exposure to waste education. A key policy for implementation by the SWRSWC and member counties is to develop and implement a regional website that will provide educational material on reduce, reuse, and recycle opportunities in the region. Educational information includes how and where to recycle materials, how to dispose of HHW, how to dispose of special wastes and other banned materials, and how and where to dispose of MSW. The counties publicize disposal options for demolition waste and yard waste materials. The goal is to make sure that all residents and businesses know where and how to recycle or dispose of waste materials generated, including burn barrel information that addresses health and environmental information on why not to burn. Most of this information is disseminated through mailings and the media. A significant amount of information is given out through phone calls and emails from County Solid Waste Offices and the Recycling and Household Hazardous Waste facilities as well as information posted on county websites. County staffs in the SWRSWC area are available for phone calls and emails all year round to answer questions from the public regarding all solid waste issues.

7. Existing Systems

b. History of System Development

The development of the present system was based on several factors that occurred over time, the primary factor being the closing of the majority of the individual county landfills, leaving four landfills operating among the SWRSWC Counties. These landfills received about 96% of the collected waste, with 3% going to two other landfills and 1% to a Resource Recovery facility.

Land disposal was the solid waste management system in each of the 12 county individual plans as it was the most prudent and feasible system available to each of the counties. It was readdressed through the 1997 Regional Review of Alternatives (ROA) as well as in the ROA update in 2002. Throughout the past twenty years, alternative waste disposal systems have been studied for their feasibility of implementation. Results thus far have not changed the method for disposal because options have not been financially feasible. While a holistic change in MSW disposal has not been feasible, many changes have occurred including HHW programs to remove toxics from the waste stream, increased education to help people make choices in their purchasing to reduce, reuse and to recycle, as well as volume-based pricing of waste. The following provides a historical overview of system development on a regional level.

In 1971 and 1972, eleven of the SWRSWC counties had public or privately owned and operated MPCA permitted Sanitary Landfills. Lac qui Parle County had no permitted landfill. In 1984 the Lincoln County Sanitary Landfill stopped accepting MSW. Additional monitoring requirements made the operation of individual county landfills less financially feasible. Six more Sanitary Landfills stopped accepting waste in the early 1990's Jackson (1990), Murray (1991), Pipestone and Rock (1993), and Redwood and Yellow Medicine (1994). In 1994, the Minnesota Legislature enacted the Landfill Cleanup Act to ensure the proper closure and post closure care at permitted municipal sanitary landfills in Minnesota. Basically, any MPCA permitted mixed municipal solid waste landfill that stopped accepting waste by April 9, 1994, could qualify and all seven of the closed landfills became part of the MPCA Closed Landfill Program between 1996 and 1998.

In the mid 1980's, many of the SW counties formed alliances with neighboring counties or groups of counties to work on solid waste issues, including planning, comparison of landfill facility rates, recycling, and problem material disposal.

7. Existing Systems

b. History of System Development

1985-1987: The counties in the West Central Region (**Yellow Medicine**, Kandiyohi, Meeker, **Redwood**, **Renville**, Swift, and **Lac qui Parle**) met to study the possibility for the development of a regional solid waste management plan. A consultant was hired to write individual county plans. The regional discussion ended when one of the participating counties built an MSW composting facility for use by their own county. In 1987, a Regional Solid Waste Management Plan was submitted to the Office of Waste Management for review. That Plan did not receive approval, and each County subsequently returned to addressing its own solid waste issues.

1986-1992: **Jackson, Lincoln, Lyon, Murray, Nobles, Pipestone, Rock** formed a 7-county task force, pooled their funds and hired consultants to develop their first county solid waste management plans. The original County Solid Waste Management Plans were approved at various dates between 1987 and 1992. At this time, while the counties identified land disposal as the primary method of solid waste management, the alternative management method identified in 1989 was to join in the regional development of a waste to energy facility proposed for the Minnesota Corn Producers (MCP) in Marshall, Minnesota which would significantly reduce land disposal. The Counties of Lyon, Lincoln, Murray, Pipestone, Redwood, and Yellow Medicine participated in this endeavor.

This Study also looked at regional MSW Composting facility and a Single Sort collection and processing program for Lyon County. In the late 1980's Jackson County was part of a study with the Prairieland WTE Facility. However, they pulled out of the study in 1989. Meanwhile, Cottonwood County worked independently to develop their own plan.

In 1990, **Yellow Medicine**, Big Stone, **Lac qui Parle**, Chippewa, and Swift Counties began to investigate establishing a Joint Powers Agreement with regard to solid waste management. The initial objective was to pursue the concept of a regional landfill. The group also had preliminary discussions on other cooperative efforts including recycling and education. The group was unable to develop consensus on issues and the cooperative effort was discontinued.

In the early 2000's Redwood County spearheaded the Lamberton WTE study. This was supported by the SWRSWC and the Rural Energy Task Force. The SWRSWC and many individual counties reviewed and participated in the Redwood County WTE facility feasibility study (Lamberton / North Redwood). While the endeavor had merit, the financial and economic difficulties prevented it from coming to fruition.

2026 Southwest Regional Solid Waste Plan

7. Existing Systems

b. History of System Development

2011-2012. The counties of Cottonwood, Jackson, Lac qui Parle, Lincoln, Lyon, Murray, Nobles, Pipestone, Redwood, Renville, Rock, and Yellow Medicine are part of a joint powers board, referred to as the Southwest Regional Solid Waste Commission (SWRSWC). The SWRSWC Counties are all located within an 18 county Southwest MPCA Region. These counties, predominantly agricultural in nature and sparsely populated, created a cooperative goal to foster an integrated approach to solid waste management within the region. The SWRSWC established a materials exchange program for all 12-member counties and is linked with the Minnesota Technical Assistance Program statewide and promotes the purchase of recycled content material. The SWRSWC has also cooperated collectively on several OEA / MPCA grants since its inception.

In 2014, the Southwest Solid Waste Commission got approval for and wrote a 12-county Regional Solid Waste Plan. This plan was basically a consolidation of the existing individual plans for the counties. As the time approached for the next ten-year plan, the Solid Waste Commission and the Solid Waste Administrators group began working on the process of developing a truly integrated regional plan. This plan will attempt to merge the concerns and activities of the counties in the region.

	Plan Adoptions / approvals	Due dates
Cottonwood	1990, 11-6-2002	12-2013
Jackson	1992, 1997, 12-23-2002	12-2013
Lac qui Parle	1989, 12-23-2002	12-2013
Lincoln	1990, 1998, 7-8-2003	07-2013
Lyon	1991, 1997, 2002, 2-10-2004	02-2014
Murray	1992, 1998, 1-14-2004	01-2014
Nobles	1992, 1993, 1998, 2004, 11-9-2009.	11-2019
Pipestone	1998, 8-5-2003	08-2013
Redwood	1998, 2-11-2004	02-2014
Renville	1990, 2001, 2-10-2009	02-2019
Rock	1997, 12-2-2003	12-2013
Yellow Medicine	1992, 5-2-2004	04-2014
Regional Plan	November 24, 2014, December 5, 2014	

7. Existing Systems

b. History of System Development

Lac Qui Parle County's demolition landfill stopped accepting waste on October 2nd, 2021. Before its closure, the majority of C&D waste came from Big Stone County, Swift County, and Lac qui Parle County.

In 1993 the MPCA issued a PBR to Lac qui Parle County allowing it to operate a Demolition Landfill for one year. It was built as an unlined landfill without a gas management or groundwater testing system.

In 1999, the MPCA issued Permit SW-473 for the landfill on 13.10 acres of property owned by Lac qui Parle County. Between this time and the landfill closure in 2021, several corrective actions were taken, including the installation of groundwater testing wells (October 2009), and a groundwater diversion system that included a sediment pond, with testing three times a year. The final cover was put into place, inspected, and approved by the MPCA in October of 2022. As of March 2024, the permit engineer from the MPCA stated that the construction certification has been approved and a DRAFT Closure Document (CD) has been started in Tempo. The engineer will be notified when the DRAFT CD is finalized and ready for their review. On 11/10/22, the MPCA granted the landfill a No Exposure Exclusion, which terminated both the Stormwater Pollution Prevention Plan (SWPPP) and the Industrial Stormwater General Permit coverage. Every five years, they need to submit a confirmation that the "no exposure" conditions are still true to renew their No Exposure Exclusion permit.

In October 2022, the county submitted a notification to the MPCA requesting a Permit By Rule permit to use the existing building on the Landfill site as a Transfer Station and to rename this site the Lac qui Parle County Special Item Recycling Site. After parceling off the building and its surrounding area they were issued a Permit By Rule (PBR001416) and have used the existing building at the closed Demolition Landfill as the county's Transfer Station for the recycling programs in place. These programs include the Special Item Collections which take tires, bulbs, electronics, and appliances for recycling. These items are stored in the Transfer Station until the designated space is filled, at which time the corresponding recycling company is contacted for a pick up to remove the items from the building. Since the closure of the Lac qui Parle County Demolition Landfill, the current land disposal facilities in use include the Lyon County Landfill, 60 miles away from Madison, and the Chippewa County C & D Landfill, 40 miles from Madison. Both landfills also accept MSW from Lac qui Parle County.

Lincoln County provides an avenue for all interests within the County to have access to a convenient and environmentally protective option to dispose of solid waste. We continually look for ways to divert material from being landfilled if we can find a cost-effective outlet. Our approach to provide garbage drop-off sites for all rural residents provides a low-cost option to get rid of their garbage and has greatly reduced the amount of burn barrels throughout the County.

7. Existing Systems

b. History of System Development

The Redwood Renville Regional Solid Waste Authority (RRRSWA) was originally formed during/after the planning for the proposed construction of a 26 county, \$31 million dollar Waste to Energy Facility project to be built in Lamberton, MN in 2007- 2009. When this failed to come to fruition, 5 of the 26 counties wanted to stay together in a joint powers board to continue to explore working together, but with elections and retirements, went their separate ways. In 2011-12, Redwood County decided to explore the construction of a new recycling facility, as theirs was delapidated and was not able to sustain the continued increases in tonnages of recyclable materials being processed annually. With the pending closure of the Renville County MSW Landfill within the next 5-7 years, the Renville County Commissioners who were involved in the original joint powers group approached Redwood County asking them to consider the idea of a combination transfer and recycling facility.

Redwood and Renville County invited surrounding counties to see if they were interested in their use of the proposed facility and possibly joining the JPA and investing upfront. With no other counties willing to commit, Redwood and Renville County began the planning process in 2011-12 and began applying for State grant monies and presenting to grant committees for the need. Grants and Bonding (years) were inconsistent, but eventually they were able to secure 1.75 Million in equipment costs. A DEED grant was secured in 2013, with construction beginning in 2014 and the opening of the facility in October of 2015.

Solid waste produced within the cities and/or the borders of the two counties must be disposed of at the Redwood-Renville Regional Material Recovery and Transfer Facility.



7. Existing Systems

c. Description of Existing Resource Recovery Programs or Facilities in Use.

The **Murray County** demolition facility is located next to the closed sanitary landfill, 3 miles south of Hadley MN at 1080 71st St, Slayton MN 56172. This is the only permanent site available for demolition debris disposal within the county. Murray County intends to provide demolition debris disposal at this site for the length of this 10-year planning period. If the current rules for demolition debris changes, they will continue the disposal of demo material at the current demolition site for the timeline that the MPCA allows. After this Murray County will investigate providing a transfer facility at the current demo site or at another location within the county that would serve the citizens for the foreseeable future.

Less than one percent of the collected waste in the region is processed at the **Prairieland Resource Recovery Facility**. The Prairieland Resource Recovery Facility processes its waste into RDF and is then transported to Mankato. Prairieland Solid Waste Management Board is a Joint Powers board between Faribault and Martin Counties. The Facility processes the MSW into Refuse Derived Fuel (RDF). The RDF is transported to Mankato and used as fuel for Xcel Energy's Wilmarth Power Plant. In 1991, Faribault and Martin County opened the Prairieland Compost Facility. The facility began operations in September 1991, operates 8 hours per day, 5 days per week and has a permitted process capacity of 50,000 tons per year (190 tons per day). The Prairieland Facility currently receives waste primarily from Faribault and Martin Counties.

Jackson County has consistently had waste flow to the Prairieland Facility. The consistent volume of waste transported suggests the waste shed from Jackson County makes it physically close enough to offset transportation costs. The SWRSWC Counties will continue to monitor the feasibility of utilizing existing facilities or constructing a new resource recovery facility. The Prairieland Facility has indicated that they have the capacity to accept more volume of MSW through their facility. The Prairieland Board recognizes the need to evaluate and consider solid waste management alternatives, including regional solutions for landfill abatement. The County and Prairieland Solid Waste Boards are concerned about the rising cost of waste management, the environmental impacts of land disposal, long-term waste abatement solutions, and achieving waste reduction and recycling goals set by the state. Regional cooperation and planning reduce the landfill capacity needs throughout the region and increase the recovery of resources. The permitted capacity of the facility is 50,000 tons per year.

Currently, Faribault and Martin Counties' MSW accounts for approximately 16,000 tons per year. Prairieland will attempt to fill the remaining 34,000 tons of capacity by securing waste from outside of the two counties. If Prairieland is able to secure waste from outside of the two counties, it may be possible to reduce the tip fee.

7. Existing Systems

d. Description of Land Disposal Facilities in Use.

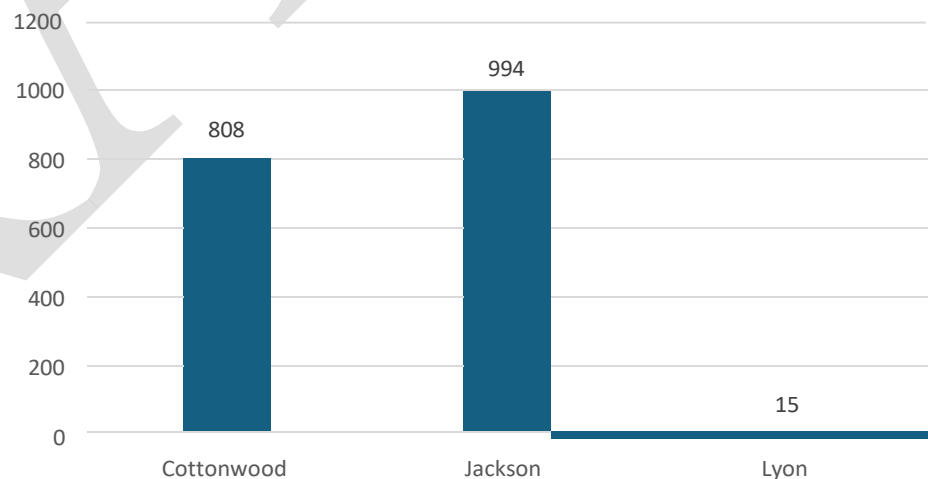
Dickenson County, Iowa Landfill. 1,817 tons of MSW from the SWRSWC was received at the Dickenson County, Iowa Landfill in 2024. The tipping fee in 2024 was \$102 per ton.

The Dickinson County, Iowa, Sanitary Landfill is permitted by the Iowa Department of Natural Resources for disposal of MSW. The landfill is located near Arnolds Park, Iowa, 2.5 miles East of Highway 71, on Dickinson county Road A-31. The landfill accepts MSW, demolition debris, appliances, and asbestos waste. As of 2010 both the permitted capacity and the design capacity of the landfill are 6,730,795 cubic yards. In 2024, the landfill received 27,616 tons and was receiving an estimated 108 tons per day (5 days/week). The projected life of the landfill is 157 years.

The landfill commenced operation in 1975 and was owned and operated by Empire Construction Company. In 1991, Sanifill, Inc., a national solid waste management company purchased the landfill. After the purchase, improvements were made to the facility including creation of a solid waste management plan, a hydrogeological study, installation of a groundwater

monitoring system, a leachate collection system, a scale, and a new composite lined cell with leachate control. The cell commenced operation in 1995. Sanifill, Inc. merged with USA Waste Services, Inc. in 1995 and was subsequently purchased by Waste Management in 1998. Both the current cell (Phase B) and the previous cell, (Phase A) are lined with subtitle D approved liner and are equipped with a leachate collection system that pumps leachate into an HDPE lined lagoon. All improvements have been approved by the Iowa DNR.

Dickinson County Landfill Tons by County 2024



Source: Dickinson County Landfill

7. Existing Systems

d. Description of Land Disposal Facilities in Use.

As noted in the history section, most of the counties in the region no longer operate a landfill. The smallest facility in the region is the **Cottonwood County Landfill**. Eighty percent (80%) of the MSW that was disposed of at the Cottonwood County Landfill in 2023 (11,283 tons) came from Cottonwood County, the other twenty percent (20%) came from other counties. The facility is located on the northern 40-acre section of property owned by Cottonwood County, approximately six (6) miles northwest of the City of Windom, Minnesota. The legal description of the site is the NE ¼ of Section 31, Township 106N, Range 36W, in Dale Township. The Tipping fee for MSW is \$70.00 per ton.

Prior to 1993, a 14-acre unlined cell located on the southern two-thirds of the site was used to dispose of municipal solid waste (MSW). In the fall of 1992, this unlined area was capped in accordance with the Minn. Solid Waste Management Rules with an MPCA approved clay cap.

Starting in 1993, the first Subtitle D approved cells were used to handle MSW at the landfill on the most northern portion of the landfill site. Currently, one (1) clay-lined and seven (7) clay/geomembrane lined cells have been constructed with a leachate collection systems and lysimeters to monitor leakage below the primary liner system.

A total of 4,361 tons of Demolition Debris was brought to the landfill in 2023 of which forty-eight percent (48%) was from Cottonwood County with the other fifty-two percent (52%) from other Counties. The Demolition debris is being disposed of in a cell southeast of the MSW cells at the site. The construction of these cells was performed in accordance with the landfill's permit, SW-143. Cottonwood accepts asbestos in the demolition landfill. As of the fall of 2023 the landfill has received final cover over cells through the east half of Cells 4 and 5 and the southern half of Cell 5. A newly constructed Cell 8 is now accepting waste.

Summary: Landfill Expansion Alternative – Cottonwood County

Cottonwood County is evaluating future waste management strategies, including landfill expansion, in response to limited landfill capacity, regulatory changes, and increased emphasis on sustainability. The County currently manages municipal solid waste (MSW), construction and demolition (C&D) debris, recyclables, and household hazardous waste (HHW).

7. Existing Systems

d. Description of Land Disposal Facilities in Use.

Key Recommendations and Alternatives:

1. Landfill Expansion

- Need: Existing landfill has ~8 years of capacity left.
- Proposal: Expand the landfill within the current 200-acre site, potentially adding 30 years of capacity.
- Design: Incorporates advanced leachate and gas collection systems, with modern liner and closure systems.
- Benefits: Lower operational costs, shared monitoring systems, and regulatory efficiency due to proximity.

2. Waste Diversion and Reuse

- Focus: Increase diversion of high-volume reusable materials like organics, concrete, wood, shingles, and tires.
- Study Suggested: A waste characterization study to identify additional materials for separation and reuse.
- Goal: Extend landfill life, reduce costs, and possibly generate revenue.

3. C&D Waste Rule Changes

- Regulatory Shift: Minnesota is phasing out unlined C&D landfills, requiring new lined facilities within ~7 years.
- Impact: Higher costs for new lined landfills; need for regional collaboration for disposal or reuse.
- Plan: Co-dispose residential C&D with MSW at County landfill; send commercial C&D to regional facilities.

4. Transfer Station Alternative

- Option: Build a transfer station to transport waste to other facilities or higher-tier disposal methods.
- Advantages: Enables recycling, sorting, cost-efficient hauling, and better oversight of waste streams.
- Disadvantages: Subject to external tipping fees and transport costs.

5. Alternative Disposal Methods

- Options Explored:
- Waste-to-Energy (WTE): Utilize RDF-producing facilities like Prairieland or Ramsey/Washington centers.
- Composting: Monitor development of SSOM (source-separated organics) composting facilities.
- Reuse/Repurposing: Expand current efforts like shingle reuse; explore more C&D recovery opportunities.

6. Regional Coordination and Private Facilities

- Transfer Potential: Neighboring public/private landfills may accept Cottonwood waste.
- Considerations: Negotiations on volume, rates, and responsibility; long-term liability remains with the County.

7. Existing Systems

d. Description of Land Disposal Facilities in Use.

6. Regional Coordination and Private Facilities

- Transfer Potential: Neighboring public/private landfills may accept Cottonwood waste.
- Considerations: Negotiations on volume, rates, and responsibility; long-term liability remains with the County.

7. Governance, Oversight, and Cost Implications

- Privatization Risks: Reduced control, possible higher resident fees, and lower public accountability.
- County Role: Continues to be responsible for regulatory compliance, public health, and long-term monitoring—even if disposal is outsourced.

8. Long-Term Responsibilities

- Regardless of Option Chosen: The County remains responsible for landfill monitoring, maintenance, and financial assurance for post-closure care.

The **Lyon County Landfill** is located on an 80-acre plot in the N½ of SE ¼ of Section 9, T110N–R42W (Lyons Township) in Lyon County, Minnesota, approximately 10 miles SW of Marshall on State Highway 23. The Lyon County Regional Sanitary Landfill was initially permitted on December 19, 1970, and opened in 1971. It was privately owned and operated by Lyons Sanitary Landfill, Inc. In November 1986, Lyon County purchased the landfill property from Lyon's Sanitary Landfill, Inc., and contracted with them to continue operation of the landfill until October 1992, at which time the County assumed operation of the landfill. The landfill was originally permitted for 1,800,000 cubic yards of capacity of which all has been filled. New 5-year permits were issued to the County in 2002 and 2008 which expanded beyond the original permitted volumes.

Conclusion:

Cottonwood County must balance cost, environmental responsibility, regulatory compliance, and public service priorities. Whether through landfill expansion or regional alternatives like transfer stations and WTE facilities, the County must strategically manage MSW and C&D streams to ensure sustainable and compliant waste services.

7. Existing Systems

d. Description of Land Disposal Facilities in Use.

An environmental review was completed in 2008 which looked at future landfill expansion. This review encompassed the existing landfill site as well as expansion to the west and would provide for an ultimate capacity of 9,414,402 CY. The Phase 1 lined cell (4 acres) was constructed in 1993; Phase 2 (2.5 acres in 1994); Phases 4 - 6 were constructed in 1996, 1998 and 2000 and were 2.5 & 3.0 acres each and completed the original permitted capacity. This permitted capacity extended through Phase 7 and Phase 9 construction. This 6-acre lined area was constructed in 2002 and an 8-acre lined area was constructed in 2008.

In 1992, Lyon County purchased a 200-foot strip of land on the north and west sides of the landfill to be used for the environmental monitoring (EMS) compliance boundary. In 1993, Lyon County along with Lac qui Parle, Yellow Medicine, Lincoln, Redwood, Pipestone and Rock Counties developed a regional contract that allowed these counties to use the Lyon County Landfill.

In 1997 and 1998 the County purchased additional land for future construction/operations and buffer. In 2010, the County installed gas collection lines in Phases 5-7 and a gas flare to collect landfill gas. This system began operation in late 2010. The new permitted capacity for both the lined and unlined area is currently 50 (19 unlined, 31 lined) acres of the 80-acre site that is designated for mixed municipal solid waste (MSW).

The MPCA approved a permit for the **Nobles County Landfill** in 1970 located at the corner of 220th Street and Knauf Ave as a privately owned landfill under permit SW-11. The permitted landfill site occupies 63.8 acres in the N ½ of the NE ¼ of Section 4, T102N, R41W of Dewald Township in Nobles County, approximately 10 miles northwest of the city of Worthington. The landfill serves the needs of Nobles County and adjacent counties for the disposal of mixed municipal solid waste. The landfill consists of two areas of waste placement. The western 17 acres of the site were operated from 1970 to 1983. In 1983, a 16-acre area was permitted. The new permitted area adjoins and extends eastward from the area operated from the previous 1970 – 1983 area. The new 1983 permitted area consists of four phases of development. Waste is currently being placed in the phase IV area. In 1999, Waste Connections based in California bought Schaap Sanitation located in Worthington, MN from Ron Schaap but continues to use the name Schaap Sanitation.

Rock County utilizes the Lyon County Regional Landfill for most of the MSW generated in the County and has utilized this site since the closure of the Rock County Landfill in the early 1990's. Rock County hauls MSW to the Lyon County Regional Landfill, while bringing C & D waste from the Lyon County Regional Landfill to be landfilled at the Rock County Demo Landfill on the return trip to Rock County. A small portion does go to the Nobles County Landfill.

7. Existing Systems

d. Description of Land Disposal Facilities in Use.

Redwood-Renville Regional Material Recovery and Transfer Facility (RRRMRF)/Renville County Demolition Landfill

The Renville County MSW Landfill closed its gates in September of 2018. At the time, all of Renville and Redwood Counties MSW waste was being delivered to this destination. From that time on, all solid waste was then delivered to the Redwood-Renville Regional Material Recovery and Transfer Facility in Redwood Falls. To ensure consistent waste delivery to the Redwood-Renville Regional Material Recovery and Transfer Facility (RRRMRF), a multi-county, publicly funded and operated facility, County Commissioners from Redwood and Renville Counties engaged directly with municipalities by attending city council meetings within their respective Districts. During these meetings, commissioners requested that the municipality direct its contracted municipal solid waste (MSW) hauler to deliver their waste to the RRRMRF.

Guided by a long-term vision and strategic planning efforts, the Redwood-Renville Regional Solid Waste Authority (RRRSWA)—a joint powers board comprised of commissioners from both counties—established governance of the Material Recovery Facility (MRF) using a “hub-and-spoke” operational model. The facility is designed to benefit both haulers and residents by providing a safe, cost-effective, efficient, and conveniently

accessible location for the disposal of recyclables, municipal solid waste, demolition debris, and other special wastes. The state-of-the-art multi-use transfer station will continue to serve the region well beyond the closure of local and regional landfills. By constructing this facility, the counties have enhanced their ability to separate, recover, and transport materials from the waste stream—including recyclables (notably cardboard), demolition materials, steel, and other recoverable resources—to reliable end markets.

Through a strong commitment to waste reduction across all streams, the RRRSWA Board and staff have prioritized reducing overall tonnage by improving material separation and directing waste to appropriate disposal outlets. Efforts such as these are expected to help reduce pressure felt by local and regional landfills struggling with capacity concerns.

Ultimately, the RRRMRF provides residents and haulers with a convenient and efficient disposal option while helping to reduce the overall carbon footprint by minimizing the need for long-distance transportation by smaller commercial and residential waste loads.

As of December 31st, 2023, it has been estimated that the Renville County Demolition Landfill has a 5-year life expectancy until full. The existing demolition system policy is to continue to fill and compact the waste to try and extend its life as far out as possible. A closure plan has not been discussed at this time, but the discussion will need to take place within the next few years.

7. Existing Systems

e. Cost to Operate and Maintain the Current System

Total Operating costs including Transfer Station, Recycling Programs and Demo Landfill Operating Costs

Costs			
Year	2020	2021	2022
Cottonwood	2,006,745	1,497,910	1,294,544
Jackson	256,805	235,123	247,810
Lac qui Parle	136,397	141,175	176,205
Lincoln	406,627	411,005	388,132
Lyon	3,921,106	2,954,695	3,657,211
Murray	406,629	411,004	388,134
Nobles	294,242	339,846	357,687
Pipestone	356,727	344,717	338,225
RRSWA	2,405,558	2,148,403	2,448,507
Rock	841,423	768,386	651,322
Yellow Medicine	141,123	146,359	149,025

7. Existing Systems

f. Summary of achievements, opportunities, challenges or problems

Many of the achievements of the individual counties within the region are the result of being able to work together regionally. The existence of the Solid Waste Commission and a joint plan for all twelve member counties is perhaps the greatest achievement accomplished by its members.

Lyon County collects mattresses for processing and recycling at the Household Hazardous Waste Facility at the Lyon County Public Works building. (Address: 504 Fairgrounds Road, Marshall, MN 56258.) The fee is \$16.00 each piece for acceptable mattresses. If mattresses are not acceptable for processing, they must be landfilled at a cost of \$60.00. Lyon County partners with Advance Opportunities to provide employment for adults with disabilities in the disassembly of mattresses.

Lincoln County works with surrounding counties such as Lyon County for mattresses and e-waste and works with Murray County for pesticide container recycling.

Redwood and Renville Counties have successfully achieved the combining of the needs of two counties and melding solid waste programs, solid waste staff and disposal locations' needs and operations together for greater efficiencies.

Small Effort: Recycle your mattress and box frames.



BIG IMPACT

Local jobs for adults with disabilities. Competitive employment for adults with the abilities to disassemble mattresses. On an average day, 18-20 mattresses will be recycled with an estimate of 3,500 mattresses/year!

Did you know 80% of a mattress can be recycled? Recyclable materials from the mattress and box frames create carpet padding, textiles and wood chips.

Save money. Recycling mattresses saves money on the wasted air space that they typically take up in the landfill.

\$16
PER MATTRESS
(BOX SPRING
FREE)

See next page for
Frequently Asked Questions!



7. Existing Systems

f. Summary of achievements, opportunities, challenges or problems

Opportunities for the region will come from efforts by our 12-County Southwest Solid Waste Administrator group. As individual counties, we often don't have the funding, support, or assistance from the State to create any opportunities that would benefit our residents. Current challenges include the diversion of 30 percent of the revenue from the Solid Waste Management Tax almost 20 years ago, which has left the increasing burden of paying for trash and recycling services to counties and residents.

Decreasing revenues due to many of the counties' decreasing population, present a major challenge for the region. Another is the rising cost of educating residents about environmental issues, stemming from the increased cost of materials, services, and labor needed to promote environmental education. There is a lack of enthusiasm for recycling by many recyclers, as demonstrated by their refusal to provide recycling education, pursue recycling markets, or pursue possible grants that would assist in the expansion of their recycling business. A majority of county residents also show a lack of enthusiasm or interest in doing their part in reducing, reusing, and recycling. This isn't an individual county issue; it is a statewide issue. Changes in media outlets and how people young and old currently gather information present a challenge to all levels of government.

Additionally, SCORE reporting has also helped us understand the gravity of our current waste crisis, where the sheer tonnage is no longer manageable through previous models. In this era of e-commerce and increased consumer waste and packaging, counties need SCORE funding to help their communities reduce solid waste.

While competitive grants are not a guarantee, the region has successfully used them to start new programs in the past; including grant awards allowing for mattress, car seat, and polystyrene recycling. The Solid Waste Administrators are currently exploring possible grant funding to assist in the development of a region wide solid waste educator position who could address the communication, education and outreach needs of the counties.

The MPCA GreenCorps program is another bonus in allowing additional staff-time to jumpstart recycling and waste reduction initiatives. Lyon County greatly advanced its service to apartment-dwelling residents. Much less successful were GreenCorps efforts to encourage construction & demolition contractors to separate garbage from the C&D loads, thereby, reducing the amount of rejected C&D loads that had to be disposed in the MSW landfills. The biggest lesson learned in this effort is that most general contractors (primarily for cost reasons) will not go through the effort to separate MSW contaminants from C&D waste.

7. Existing Systems

f. Summary of achievements, opportunities, challenges or problems

Marketing materials in the solid waste and recyclable stream from SW Minnesota has been challenging at best. There have been a variety of start-ups and potential start-ups for specific recyclable materials, which have started and then later shut down, which include glass, specific plastic products, fiber products, etc. Local markets are few to non-existent. On the global market side, bottlers have had a preference for virgin plastics and non-recycled aluminum. One of the last products which had some value was corrugated cardboard. Our recyclers have had challenges with even marketing cardboard. In the relatively recent past, corrugated cardboard markets have also been severely depressed. The mere transportation of low value materials makes recycling more challenging.

One opportunity that exists going forward is to partner with a plastics recycler such as ZahnTech. Located in Lennox, South Dakota, ZahnTech takes all plastics and converts them into composite fence posts. Gen-4 Composite Posts are currently available in:

4"x7' Pointed Round & 4"x4"x8' Square: \$25/each

6"x8' Pointed Round & 6"x6"x8' Square: \$52/each

Gen-4 is currently 10x stronger and 20x more durable than our traditional wood counterparts. Our new posts won't rot or split, they're paintable and non-conductive, as well as maintenance/hassle-free!

The Solid Waste Administrators will be organizing collection and disposal arrangements during 2026.



8. Proposed System

- a. Describe the technical, financial, demographic, geographic, regional and solid waste system constraints or barriers that limit ability to achieve greater independence from land disposal.

Constraints and Barriers Limiting Independence from Land Disposal

The southwest region has well-established programs to address reduction, reuse, recycling and composting as characterized in the waste management hierarchy. There are no waste to energy recovery (WTE) facilities located in the southwest region and very little region-generated MSW is currently being exported out of the region for energy recovery, what little is exported is to the Wilmarth facility in Mankato. Based on the volumes and types of materials generated, the southwest region proposes to use land disposal as the primary MSW management method over the next 10-years. The system constraints or barriers that limit the ability of the southwest region to achieve greater independence from land disposal are described below.

Financial

Transporting MSW from the southwest region to a WTE or RDF facility faces untenable financial hurdles. The current cost of fuel (e.g., >\$5 gallon of diesel) is prohibitive to long haul all of the region's MSW these distances when compared to the current and proposed system of land disposal.

Geographic and Demographic

The southwest region with its twelve counties and the Southwest Solid Waste Commission compose a very large geographic area. The nearest WTE facility located in Mankato (refuse derived fuel (RDF) processing) range from more than 50 to over 150 miles from various locations within the region. The overall size and rural nature of the region makes it problematic to consolidate adequate quantities of MSW to long haul materials to this WTE facility. For example, Madison in Lac qui Parle County, located in the northwest corner of the region, is nearly 150 miles from Mankato, which is outside of the region entirely. Moreover, the southwest region is very rural in nature with only two communities, Worthington and Marshall at around 15,000 in population.

Technical

Even if it were geographically and financially feasible to transport waste from the southwest region to one or more WTE or RDF facilities, it is uncertain if these facilities would have capacity to manage more solid waste in the future. Each of these WTE facilities currently serves their respective jurisdictions/regions and likely would need to expand to accommodate MSW from the southwest region.

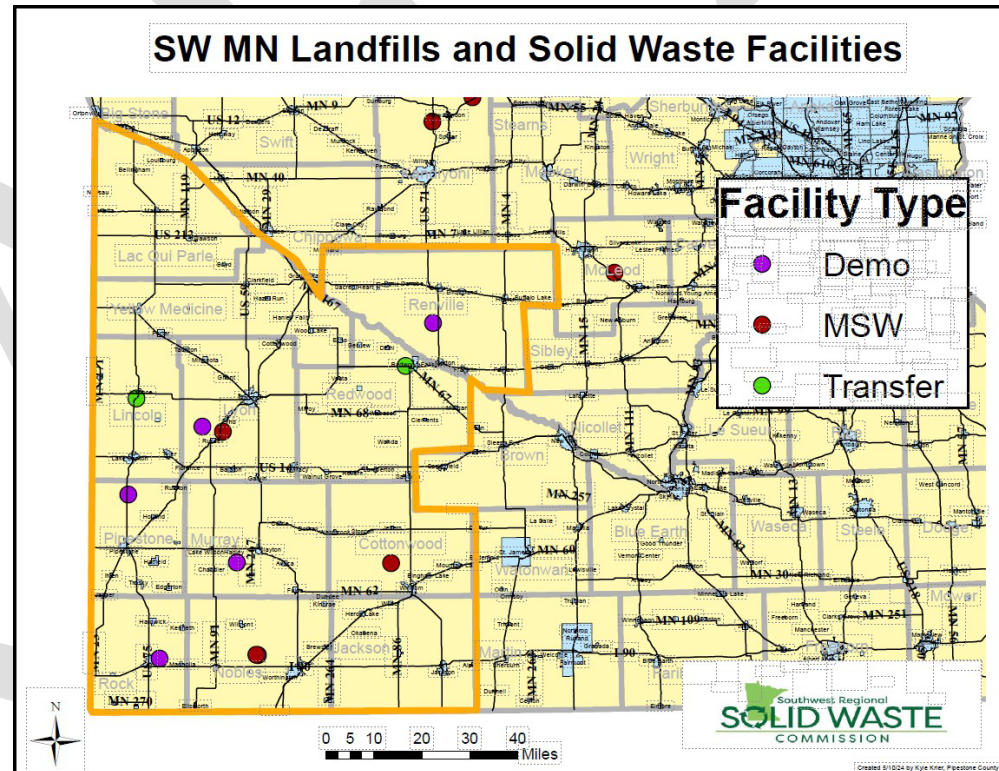
8. Proposed System

b. A demonstration that there are no solid waste system alternatives that are more feasible and prudent than the land disposal system.

Demonstration of No Alternatives More Feasible Than Land Disposal

The discussion above provides an explanation of the geographic, demographic, financial, and technical constraints to considering alternatives to land disposal outside the region. As part of the regional stakeholder engagement process, research was conducted and information presented on other potential MSW processing technologies such as gasification, pyrolysis, anaerobic digestion, fermentation, and a few other emerging technologies. Excluding anaerobic digestion, there are no commercially operating facilities in the United States applying these technologies to the management of MSW. As a result, the southwest region proposes to utilize land disposal as its primary management method upon maximizing materials diversion.

MSW disposal is managed correctly, and efficiently, and continues to be the best environmental & cost-effective method for disposing of unwanted garbage. Incinerators and material processing facilities have been repeatedly demonstrated to be impractical solutions due to cost, or to be opposed by the public.



9. Solid Waste Reduction

a. Source Reduction Policy and Goals

Overall, the participating counties have well-established integrated waste management systems designed within the framework of the waste management hierarchy. The primary differences between the programs are program emphasis. The participating counties offer an array of waste abatement and recycling programs supported by various approaches to MSW disposal. This section provides a description of the proposed programs.

Additionally, several priority solid waste management programs and services were identified along with a proposed approach for providing these programs/services using local resources, regional resources, or both. These regional efforts supplement the existing and proposed programs within the individual counties and the Southwest Solid Waste Commission footprint.

Provided in the following section is a summary description of the proposed system in each of the primary programs/service areas. A timeline of the proposed regional initiatives is also provided. The southwest region envisions benefits through regional cooperation and proposes the program initiatives described below.

Each participating county has developed solid waste management education information resources (e.g., booklets, website, public service announcements) addressing a range of issues from source reduction and preparing and identifying materials for recycling to illegal dumping. The SW Minnesota region envisions benefits with regional cooperation to expand program education to multiple issue areas such as source reduction, sustainable materials management, organics management, construction & demolition materials management, recycling and possibly others.

A goal of the Southwest Solid Waste Administrators (SWAs) and its member counties is to educate businesses and residents to move waste up the waste hierarchy and to ensure an environmentally sound waste management system. An informed and aware population will understand long-term effects of purchasing, consumption, and disposal habits with regard to composting, illegal backyard burning, special waste, waste reduction, reuse and recycling.

9. Solid Waste Reduction

a. Source Reduction Policy and Goals

Under the auspices of the existing plan, many of the individual counties have initiated programs hoping to achieve source reduction. Lincoln County started a REUSE program in 2024 using an MPCA Greater Mn Recycling and Compost grant. The grant was used to build a building and purchase a scale to weight materials for reuse. Goal is to divert 10 tons of material from the landfill in 2024 and increase to 20 ton by 2034. The building cost was \$90,000. The Project was started in 2024 and will continue. Additional staff time will be used to sort the materials, and the site will be open on the days they are already scheduled to be open to minimize staff time.

The Southwest Solid Waste Administrators group is proposing that a regional study be conducted of the amount of building material, furniture and appliances specifically that flows through the region's secondhand stores. For example, the Re-Store in Marshall stocks large amounts of doors and other home construction material that would otherwise be in the waste stream. No data currently exists for reporting these amounts so a baseline for the region needs to be established.

The proposal by the SWAs to hire a full-time Solid Waste Educator position, either as an employee of the Solid Waste Commission or possibly as an employee of the Southwest Regional Development Commission would give the SWAs the staff capacity to pursue the study.

Another possible program for the region to pursue with the new staffing would be applying for a Wood Waste Grant. This grant would allow for the establishment of stockpiles of untreated raw lumber at landfills and/or transfer stations around the region. A possible vendor from Iowa has already spoken to the Solid Waste Administrators about the feasibility of bringing their shredding machine on-site. The machine converts wood-waste to animal bedding and mulch and the vendor would then haul the waste back to their facility in Iowa, thus reducing the amount of wood that enters the waste stream.

Using the waste stream analysis from the Lyon County Landfill, 6.6% of the waste is made up of wood. It is estimated that a new program to turn wood waste into mulch for bedding could reduce the amount being landfilled by as much as half. This would result in a measurable goal of removing 3% of the MSW that currently goes into the landfill. The goal of the Southwest Solid Waste Administrators is to research and apply for funding in 2026 with a 2027-28 start date.

9. Solid Waste Reduction

b. Identification of Costs/Budget and Implementation Schedule for Program Implementation

Cottonwood County has USAgain clothing boxes located throughout the county. Upon the closing of the consignment shop in Windom, Threads and Décor expanded from Worthington to a second store in Windom. Cottonwood county will continue to direct residents to the available options to reduce these items entering the waste stream. Estimated reduction 2.8 tons/year.

In **Jackson County** the Lions Club organizes and collects shoes for the “soles for souls” program. Jackson County intends to develop and distribute to hospice and funeral directors a guide that directs people on where to take items for reuse; geared toward people who are relocating, downsizing, or families who need to disperse loved one's belongings. Estimated reduction 1.3 tons/year.

In 2025, **Lac qui Parle County** plans to partner with a local business owner to create and offer a weekly “Fix-It Clinic”. The business has an area that can be used to host this event, and county staff will recruit residents who are willing to help fix items. In addition, this area will also be used to house a collection of tools donated by residents. These tools will then be loaned out to residents to provide the means to make repairs themselves. Both of these efforts aim to reduce the amount of solid waste produced in the county.

The City of Madison has its “All-Around Town Rummage Sale” on April 25th-26th in celebration of Earth Week. There were over 20 separate rummage sales with the map published in the local newspapers. Madison also has an “Online Rummage Sale” Facebook page where residents can post items for sale or to give away.

There are two thrift stores in the county one is in Madison, the Prairie Five Thrift Store, and the other one is in Dawson, the 2nd Time Around thrift store. Estimated reduction 5.4 tons/year.

Lincoln County started a REUSE program in 2024 using an MPCA Greater Mn Recycling and Compost grant. The grant was used to build a building and purchase a scale to weight materials for reuse. The goal is to divert 10 tons of material from the landfill in 2024 and increase to 20 tons by 2034.

The building cost was \$90,000. The project was started in 2024 and will continue. Additional staff time will be used to sort the materials, and the site will be open on the days the site is already open to minimize staff time.

9. Solid Waste Reduction

b. Identification of Costs/Budget and Implementation Schedule for Program Implementation

Lyon County will assist the southwest Minnesota State University to establish a free store; at which students can leave unwanted usable goods for other students to take. This will reduce the amount of new purchases of clothing, notebooks, and residential living items. 3 tons/year reduction.

Lyon County will assist the Marshall-Lyon County library system to develop a tool lending library through which residents may check out selected hand tools for home repair and improvement projects. Examples of tools include ethernet cable crimper, pop rivet gun, t-square, shop-vac, etc. This will reduce the amount of new purchases of these seldom used items. .5 tons/year reduction.

Murray County Hospice has an annual rummage sale to support the Hospice Program in Murray County. They use the Murray County fairground campus for this event held in September. This is a great opportunity for the public to donate used items. Everything from clothing, kid's toys, kitchen dishes, pot and pans, books, decorative items, tools and anything else that you might find at a normal rummage sale. They take items for a week before the sale. They use most of the Murray County fairground buildings and have different items in numerous buildings. The rummage sale is the following week. Anything that is left over is donated to regional programs that can be resold to the public. Estimated reduction .8 tons/year.

Nobles County will continue to provide a Household Hazardous Waste (HHW) Facility Product Exchange Program. The program is available to Nobles County residents 18 years of age and older when the HHW Facility is open on Tuesdays. Estimated reduction 1.5 tons/year.

Pipestone County will begin collecting laptop computers at their weekly HHW collection for donation to the Lyon County computer re-use program for refurbishment beginning in 2025. County staff will contact local businesses to discuss recycling and waste reduction audits on an as needed basis beginning in 2027. Estimated annual waste reduction of 1.5 tons per year.

Redwood/Renville County will accept wood pallets from the general public and also remove wood pallets from both the demolition and MSW by commercial haulers to be re-sold and re-marketed.

Staff will make efforts to remove usable items brought to the transfer facility and donate them to the Westside Re-use Store, across from the Redwood County HHW Facility to be re-used/sold. Redwood County HHW Facility, currently has a product exchange that gives away items that are donated. Estimated reduction 3.4 tons/year.

9. Solid Waste Reduction

b. Identification of Costs/Budget and Implementation Schedule for Program Implementation

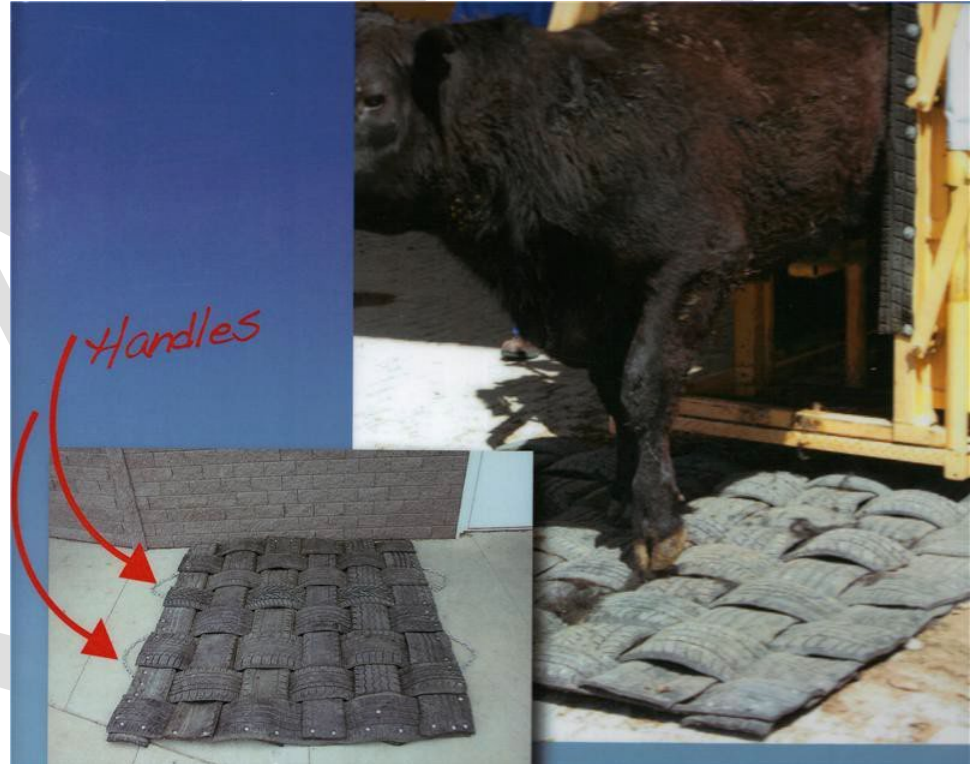
Rock County will continue to support the re-use and re-purposing of bicycles sent/donated to Christian based ministries in Sioux Falls and Luverne. They will also continue to guide residents to Redeemed Remnants Thrift Store, which is an extension of Atlas of Rock County, that provides affordable clothing, housewares, and furniture in downtown Luverne.

Manley Tire and Oil Service uses old tires to make cattle mats.

- Reduce slipping and cripples in your herd with carpet for your cattle Custom cattle mats in any size, made from recycled tire treads
- Virtually indestructible
- One (1) year free replacement warranty
- Chain "handles" for easy movement

Estimated waster reduction 8.7 tons/year.

Yellow Medicine County will continue and expand education opportunities for schools and support local community groups such as Scouts, 4-H, and school groups. The county will continue to promote materials reuse through thrift stores (2) and clothing drop-off sites. 20 tons/year reduction.



Manley Tire and Oil Service Custom Cattle Mats

9. Solid Waste Reduction

b. Identification of Costs/Budget and Implementation Schedule for Program Implementation

The Southwest Solid Waste Administrators are proposing that the Southwest Solid Waste Commission pursue the hiring of a new region-wide staff person to assist the Commission and the SWAs in conducting education, outreach and planning activities within the region. It is proposed that the position possibly be housed at the Southwest Regional Development Commission. Each member of the Solid Waste Commission would contribute to the financial cost of the position.

If the position were to be approved, it is likely that it would be an entry level planning position with the SRDC. Under the SRDC's current pay structure, the salary would fall in the range below.

Pay Grade	Position	Min.	Mid-Pt.	Max
5	Development Planner I	54,959	65,958	76,956
		\$26.42	\$31.71	\$37.00

Total position costs for an addition to the SRDC staff at the Mid-Point would include:

$$65,958 \times 17.7\% \text{ leave rate} = 11,674.57 + 65,958 = 77,632.57$$

$$77,632.57 \times 31.5\% \text{ fringe rate} = 24,454.26 + 77,632.57 = 102,086.82$$

$$\text{Indirect} = 102,086.82 \times 58\% = 59,210.36 + 102,086.82 =$$

Total Position Cost of \$161,297.18

Estimated Timeline: The Solid Waste Administrators will present their proposal to the Solid Waste Commission once the 10-Year Plan is approved by MPCA. If approved by the Commission, it should take 2-3 months to fill the position. Estimated start date if approved would be sometime in late 2026 or early 2027.

10. Solid Waste Education Programs

a. Education Program Policy and Goals

The SWRSWC and member Counties, through their respective County staff, shall provide education through quarterly publications, outreach and promotion at community events and to organizations, such as:

- Maintenance of a booth at county fairs, trade shows, local home and farm shows, community festivals, presentation upon request to organizations such as clubs, groups, and schools.
- The County Solid Waste Administrators will continue to be available to answer questions and distribute a variety of waste education materials at events and on a request basis.
- The SWRSWC and member Counties, through their respective Solid Waste Administrators, will work with commercial waste generators to reduce their waste by providing information on proper solid waste disposal education, recycling, and offering waste audits. Funding opportunities will be sought to provide a staff person to work with businesses.

Other outreach will include personal contact by solid waste staff and distribution of printed materials, presentations and exhibits promoting waste reduction at events in the region throughout the planning period. County staff will provide educational materials in Spanish and Hmong languages as appropriate.

The Counties will monitor new waste curriculums for incorporation in public schools. The material will be reviewed by the County Solid Waste Office staff for applicability. After approval, it will be introduced and reviewed with School District curriculum directors for applicability to existing curriculum, grade appropriateness and state graduation standards.

The Southwest Solid Waste Administrators group has a number of ideas on how to possibly do a better job at providing education to the general public. Among the suggestions are that a volunteer-based group, perhaps led by an AmeriCorps volunteer could be established to do recycling outreach and education.

Another possibility is the establishment of a regional solid waste educator to serve the entire region. Again, existing staff constraints continue to be the primary reason education is not a priority at the local level.

The SWAs are also working on a training/workshop to train current staff on outreach and education activities. Individual county education plans might benefit from a third-party effort to compile short videos on waste reduction, recycling correctly, smart shopping, etc.

10. Solid Waste Education Programs

a. Education Program Policy and Goals

In an effort to provide solid waste education to the residents of the Region, the Southwest Solid Waste Administrators aim to restart a regional Bernie the Burn Barrel Campaign. Redwood/Renville Regional Solid Waste Agency (RRRSWA) will take the lead in restarting the program utilizing Kandiyohi County's Bernie the Burn Barrel until a new model can be constructed.

RRRSWA will kick off the campaign at the RRRSWA booth at the Renville County Fair in August of 2025. Rural residents who are attending the fair will be encouraged to complete the "burn barrel survey", where a drawing for a rain barrel or compost bin will be held for those who complete the survey. Data from the survey will be collected and presented to the RRRSWA Board and the Solid Waste Commission. The purpose of the campaign is to present multiple options other than burning to the residents: free recycling, free paper shredding, free Household Hazardous Waste disposal, an updated haulers list and transfer station hours, etc.

Literature (tri-fold brochure) on toxicity associated with burning will be handed out, with a list of the licensed county commercial haulers included within the brochure, for their perspective county's (Renville and/or Redwood).

Forestry/fire related facts will also be presented and handed out. Data suggests that debris burning, including backyard burning, is the leading cause of wildfires in Minnesota.

In fact, the Minnesota Department of Natural Resources (MNDNR) states that 40% of all wildfires are the result of debris burning. In 2022 this was equal to 201 fires of the 740 reported (27.2 %). It's important to note the number of acres burned due to backyard fires vary significantly each year depending on factors such as weather conditions and type of materials being burned.

Articles will be submitted to each countywide newsletter in either this fall or next spring's addition on the health effects of backyard burning, not only on how it affects homeowners but also the impacts on the food chain for humans and animals. Bernie will be highlighted on the RRRSWA webpage as an old friend who returned to the area to visit and remind the residents of Redwood and Renville County of his important message.

Drawing on the success of the RRRSWA roll-out, the other counties in the region will begin their own campaigns highlighting the impacts of backyard burning versus proper disposal of solid waste and recycling, highlighting each county's unique efforts to provide access to alternatives for their residents. Counties will begin implementation in 2026.

11. Recycling Programs

a. Recycling Program Policy and Goals

The goal of the Solid Waste Commission and member counties in the previous plan was to prioritize recycling as the main method of reducing and abating the need for land disposal, to reach a minimum recycling rate of 42% by 2015 and 55% by 2022.

According to data from the most recent SCORE report, the average recycling rate for the region is 33.4%, significantly less than the targets listed in the plan. It has become more and more difficult to interest the general public in recycling, especially when any news they hear is about how there is no real market for most recyclables, and they end up in the landfill anyway.

Another goal of the plan was to promote and encourage development of private or public recycling markets in Southwest Minnesota in partnership with the state's market development program. Resources to pursue this goal have pretty much been non-existent during the last ten years, and it is recommended that the goal be removed unless there is a changing in funding or the ability of the state's market development program to develop recycling markets in rural areas.

The Solid Waste Commission and Member Counties will maintain or work to increase recycling programs within the counties.

The SWAs will annually review and compare local, regional, and statewide data to measure and evaluate the incremental progress of various initiatives towards meeting recycling goals and adjust county and regional work plans accordingly. Data sources could include SCORE data with projections from the Goal Volume Tables (GVT), local program data, surveys, pilot measures, local and state waste audits, and county/regional recycling program costs. This annual evaluation will identify counties falling below the regional projected recycling rate. The Solid Waste Administrators will then work on increasing the ability of individual counties to come into compliance.

This annual evaluation will identify counties falling below the SWRSWC projected recycling rate.

The identified counties will institute additional recycling opportunities for the residents and businesses of those counties. Opportunities could include additional curbside recycling, additional recycling drop-off sites in the county, and increased educational efforts.

Identified counties would use the Solid Waste Composition Study to identify what recyclables are being missed, determine who the generators of those materials are, and why those materials are not being recycled and begin specific initiatives to target identified gaps.

11. Recycling Programs

b. Existing Recycling Programs

Residential Curbside Recycling. Member counties will continue to implement residential curbside, which is available in the majority of the communities (and some denser populated rural areas) in the region. Counties or cities contract with a private provider (or a city may be the hauler) to pick up recyclables and take them to a facility for processing. The public or private facility packages and markets the recyclables. Residential curbside recycling takes place in two ways: single sort and sorted.

Lincoln, Lyon, Redwood, Renville, Rock, Pipestone, Nobles, Jackson, and Cottonwood Counties and the City of Fulda (Murray County) have residential single sort curbside programs. Once the change from sorted to single sort occurs, it is very difficult to change public behavior back to a sorted curbside recycling program. Locations with a single sort residential curbside program are anticipated to continue with a single sort program.

Lac qui Parle, Yellow Medicine, and Murray Counties have sorted residential curbside recycling. Recyclables are separated by residents and placed in bins at curbsides. Lac qui Parle, Yellow Medicine, and Murray Counties intend to continue residential sorted curbside recycling programs. Murray County will continue to consider their options for single sort and sorted programs.

All counties will continue to offer drop off facilities (sheds or trailers) for rural residents without curbside recycling. Recycling sheds and trailers are defined by State rules as recycling centers; they accept multiple types of recyclables. It is the intent to retain drop off recycling facilities to provide for the opportunity to recycle.

The Solid Waste Commission and member counties will sponsor efforts that encourage commercial and industrial efforts to reduce, reuse, and recycle throughout the private sector in the region.



11. Recycling Programs

b.1. Cottonwood County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate	Goal Tons	Increase Needed
12,338	26.91%	1,952	35.00%	4,318	2,366

Cottonwood County collected source separated recycling and hauled it to Murray county until 2010, then moved to comingled recycling.

Comingled curbside collection is available for residents that live in town and there are also 10 recycling shed locations that rural residents can use available 24/7 in the county: Westbrook, Storden, Jeffers, Germantown Township, Delft, Diamond Park (City of Comfrey), Mountain Lake, Bingham Lake, City of Windom, and Talcot Lake Park. The landfill also has a recycling drop off site that is open the same hours as the landfill, 8am-4pm (last loads in by 3:30 pm) Monday thru Friday and 8am-12pm the first and third Saturdays of the month.

Cottonwood County plans to address the SCORE recycling short falls by doing the following items:

- Making sure MSW tonnages in the SCORE report only reflect Cottonwood County
- Obtaining recycling tonnages for Cottonwood County from Hilltop Metal recycling
- Contacting County thrift stores for tonnages

- Contacting and visiting each of the city yard waste sites and obtaining composting pile yardages
- Contacting County salvage and auto body garages for potential recycling tonnages
- Additionally, they are working jointly as a region to increase their plastics capture rate by providing a dedicated collection container for all types of plastics in addition to promoting the collection of more ag plastics.

Cottonwood County intends to begin implementing these new policies and procedures in 2025 and will review and update them as necessary throughout the life of the new plan.

11. Recycling Programs

b.2. Jackson County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
8,899	41.66%	3,707	35.00%

Jackson County has residential single sort curbside recycling but does not have a landfill or any transfer stations.

Properties in unincorporated areas in Jackson County with a household value of \$3,000 or more have a \$50/year assessment added to property taxes for Solid Waste

There are 11 drop-sites in Jackson County picked up on a weekly basis:

Jackson: County Hwy Shop
Lakefield: County Hwy Shop
Okabena: (WHL Township)
Bergen: (Christiania Township)
Heron Lake: Weimer Township Grader Shed
Delafield Township Grader Shed
Community Point County Park (HL Township)
Round Lake Campground
Sioux Valley
Robertson County Park (Minneota Township)
Petersburg Township Hall

Holiday Lights Recycling Program – From late November to early January, bins are placed in Heron Lake, Lakefield, and Jackson to collect holiday lights. The lights are then brought to our local DAC for recycling or reuse.

Empty Pesticide Container Collection Program – Once a year in September, we work with a local ag pesticide dealer to collect empty pesticide containers in Okabena and Jackson. The local dealer transports the empty containers to Murray County for recycling.

Update info on existing programs since last plan
The Commercial Recycling Resolution which was in effect since 1998 was rescinded in 2017. Jackson County no longer coordinates recycling for commercial properties.

11. Recycling Programs

b.3. Lac qui Parle County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
8,807	50.86%	3,736	35.00%

Lac qui Parle County has sorted residential curbside recycling. Recyclables are separated by residents and placed in bins at curbsides. The County intends to continue this program.

Special Item Collections are on the 2nd Saturday of the month from May through October from 8 am to noon at the LQP County Special Item Recycling Site, located at the closed Demo Landfill in Madison. Accepts electronics, appliances, bulbs, and tires. Bulbs are free to recycle, and the other items cost a small fee.

The City of Madison has its annual City-Wide Cleanup in May, which accepts the following items: tires, mattresses and box springs, appliances, and electronics.

There are 2 HHW Collections, one in Madison in the Spring and one in Dawson in the Fall. These are held at the County Highway Department Garages from 3 pm to 6 pm and are free for all county residents.

A Paper Shredding Event is held in April which is free and open to all county residents.

Holiday Lights Collection is from November through January with 13 drop-off locations in Madison and Dawson.

A Lac qui Parle County resident has partnered with the Trex company to lead a plastic film recycling program, NexTrex, with the support of the Lac qui Parle County Environmental Office. Currently, this is an individual effort, but if proven successful there, the Southwest region will look to move forward as a group to broaden the program area.

11. Recycling Programs

b.4. Lac qui Parle County

Lac qui Parle County addressed SCORE recycling shortfalls by doing the following items:

- Obtaining recycling tonnages for Lac qui Parle County from Alter Metal, (4 Tons).
- Contacting County thrift and reuse stores for tonnages, (14 Tons).
- Requesting recycling tonnages from businesses that have not been contacted in the past for these amounts, (465 Tons).
- Supporting a local plastic film recycling program that was recently launched, (4 Tons).
- Additionally, they are working jointly as a region to increase their plastics capture rate by providing a dedicated collection container for all types of plastics and promoting the collection of more ag plastics.

Lac qui Parle County began implementing these new policies and procedures in 2024 and will review and update them as necessary throughout the life of the new plan.



Prairie 5 Thrift Store in Madison



2nd Time Around Thrift Store in Dawson

11. Recycling Programs

b.5. Lincoln County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
6,625	49.76%	2,643	35.00%

Lincoln County currently has residential single sort curbside recycling and maintains contracts with a waste hauler to complete business & residential recycling collection and rural drop site recycling dumpsters. The County has a 50/50 cost share program for businesses that participate in their business recycling contract.

The Lincoln County transfer facility accepts batteries, oil, oil filters, appliances, florescent bulbs, electronics, mattresses, pesticide containers, waste tires, and scrap metal for recycling. Lincoln County also operates a reuse building at this site where people can get usable items that are diverted from the landfill.

In 2024, Lincoln County began separating plastics that are not accepted in their curbside recycling program from the MSW and C&D waste hauled into their transfer facility. This material is then hauled to ZahnTech by Lennox, SD, to be recycled. The County will be looking at options to shred and or bale the material to make it more cost effective to ship. Lincoln County will also explore other opportunities as they arise to increase recycling.

There are eleven unmanned recycling drop-off sites open 24/7. The County also offers MSW disposal at each of the recycling locations. The locations include: Lake Benton, Ivanhoe, Hendricks, Tyler, Arco, Verdi, Wilno, Marble Store – in Marble Twp., Alta Vista Town Hall, Picnic Point Campground, and Lake Shaokatan at the north side boat landing. The County also accepts recycling material free of charge at the transfer station. Materials accepted are paper (newsprint, cardboard, paper), glass, plastic, tin (steel) and aluminum cans. The public residential recycling system includes curbside collection in each incorporated municipality and is collected every other week.

11. Recycling Programs

b.5. Lincoln County



Lincoln County Re-Use Building in Ivanhoe

Lincoln County addressed the SCORE recycling short falls by doing the following items:

- Obtaining recycling tonnages for Lincoln County from Alter Metal
- Working with County thrift stores to get tonnages
- Contacting and visiting each of the city yard waste sites and obtain composting pile yardages
- Working with businesses to educate them on additional items they may recycle and report items that they may be recycling that aren't documented.
- Working with local contractors to set aside clean lumber that could be shredded for mulch or bedding
- Additionally, they are working jointly as a region to increase their plastics capture rate by providing a dedicated collection container for all types of plastics in addition to promoting the collection of more ag plastics

Lincoln County began implementing these new policies and procedures in 2024 and will review and update them as necessary throughout the life of the new plan.

11. Recycling Programs

b.6. Lyon County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate	Goal Tons	Increase Needed
26,527	28.42%	7,442	35.00%	9,284	1,842

Lyon County has residential single sort curbside recycling. Locations with a single sort residential curbside program are anticipated to continue with a single sort program.

Lyon County has started managing its own recycling from the 15 community drop sites and might consider a recycling transfer station within the next 10-year plan.

There are 15 drop off sites available to rural residents: Amiret, Balaton, Cottonwood, Florence, Garvin, Ghent, Green Valley, Lynd, Marshall (three sites), Minneota, Russell, Taunton, and Tracy. In the communities of Marshall, Cottonwood, Minneota and Tracy, recyclables are collected in 30 cubic yard roll-off containers. All other locations use sheds. The drop off sites are open 24/7. Curbside Recycling is collected every-other-week from all Lyon County communities.

Recycling of mattresses, car seats, polystyrene, clothing, vinyl siding, and film plastic options are offered (not through curbside collection).

Lyon County plans to address the SCORE recycling shortfalls by performing the following tasks:

- Obtaining recycling tonnages from Alter Metal - 2025
- Contacting county thrift stores for tonnages - 2026
- Contacting auto body garages, auto parts stores, and repair shops for potential recycling tonnages - 2026
- Contacting and visiting each of the city yard waste sites and obtaining composting pile tonnages - 2025

11. Recycling Programs

b.6. Lyon County



Minnesota GreenStep Cities

The City of Marshall GreenStep City Team has spearheaded an effort to recognize businesses that are voluntarily implementing waste reduction and recycling as part of their energy efficient business recognition program. The Commission will support and encourage other communities to consider implementing the Minnesota GreenStep City program. There may be additional business recognition programs implemented that will encourage additional commercial sector waste management. Solid Waste staff will continue to conduct business-place waste audits upon request.

Member counties will sponsor and support through trained staff, waste reduction audits for cooperating communities and government facilities and promote the use of recycling for at least three of the primary materials. All heated County Government buildings maintain receptacles for a minimum of three materials to recycle: paper, metal (aluminum beverage containers), and plastic. The Communities in the counties also provide collection of a minimum of three materials. Some of the counties and cities have recycling containers at parks to encourage recycling. The County SWA's will bi-annually contact the communities in their respective counties to verify recycling of materials at municipal facilities. These activities will continue and expand as the opportunities present themselves.

The school districts throughout the region will also continue to be educated on the benefits of recycling and how to remain in compliance with Minnesota's laws regarding recycling in schools.

11. Recycling Programs

b.7. Murray County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
7,616	35.4%	2,639	35.00%

Murray County has sorted residential curbside recycling. Recyclables are separated by residents and placed in bins at curbsides. The county intends to continue residential sorted curbside recycling programs but will continue to consider their options for single sort and sorted programs.

There are 11 recycling sheds open 24/7 located in the cities of Avoca, Hadley, Currie, Fulda, Lake Wilson, Dovray, Iona, Slayton, Current Lake and Marshes Landing; and the recycling facility is in Slayton open 8 – 4:30 Monday through Friday.

Murray County has processed pesticide containers for recycling for Murray County and any county in the region since 2000. They receive and bale around 20,000 to 25,000 pounds annually. They use a Minnesota Department of Agriculture contracted company to recycle these containers according to the requirements set with the Minnesota Department of Agriculture.

Murray County plans to address any SCORE recycling shortfalls by performing the following tasks:

- Obtaining recycling tonnages from Alter Metal
- Contacting county thrift stores for tonnages
- Contacting auto body garages, auto parts stores, and repair shops for potential recycling tonnages
- Contacting and visiting each of the city yard waste sites and obtaining composting pile tonnages

Murray County intends to begin implementing these new policies and procedures in 2025 and will review and update them as necessary throughout the life of the new plan.

11. Recycling Programs

b.8. Nobles County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
19,244	41.21%	7,266	35.00%

Nobles County Recycling Program

Schaap Sanitation provides Nobles County residents with recycling options. Nobles County has business recycling, rural recycling, and curbside recycling programs. Schaap provides curbside recycling services to all the communities in Nobles County. Rural curbside recycling services are an option along with 10 rural drop-off site locations within the County for those residents that do not live within a community. The County also has a successful business recycling program as well.

Since the last 10-year Solid Waste Plan was implemented, the county has developed a mattress-recycling program. Residents can drop off their unwanted mattresses at the landfill or at Schaap Sanitation in Worthington for a fee. The mattresses are then delivered to a location for recycling. The County will continue to provide the residents of Nobles County options for recycling. If a new recycling opportunity presents itself, the County will research it and make a decision as to whether it will be a benefit for the County.

There are eleven drop-off sites located throughout Nobles County and one Recycling Center. They include: Nobles County Highway Shop, Adrian; Brewster City Shed, Brewster; Dundee City Shed, Dundee; Ellsworth City Shed, Ellsworth; Leota Christian School, Leota; Reading Community Center, Reading; Round Lake City Shed, Round Lake; City Water Tower, Wilmont; Nobles County Recycling Center, Worthington; Seward Township Hall, Fulda. The sheds are open 24/7 as is the drop off outside the recycling center. The Recycling Center is located on Highway 60, south of Worthington. Nobles County has a co-mingled recycling program and accepts glass, paper, metals, and plastics.

Curbside recycling services are available in the communities of Adrian, Brewster, Dundee, Ellsworth, Leota, Reading, Round Lake, Wilmont, Lismore, St. Killian, and Worthington. Rural curbside recycling service is being used by 15 percent of Nobles County residents.

11. Recycling Programs

b.9. Pipestone County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
17,182	62.05%	9,524	35.00%

Pipestone County has residential single sort curbside recycling. Locations with a single sort residential curbside program are anticipated to continue with a single sort program.

A collection contract was secured with Van Dyke Sanitation of Edgerton who provides for a bi-weekly collection of residential recycling and a weekly collection of all business recycling.

The County provides a rural recycling shed in each municipality for rural resident recycling. In the City of Pipestone in place of a recycling shed the County provides three cardboard roll-offs and 1 mixed recycling roll-off, which are emptied on an as needed basis. The current contract holder's primary disposal location for the single stream material is through Millenium Recycling out of Sioux Falls, SD. The County continues to promote and provide additional business recycling containers as they are requested.

There are nine recycling drop off locations available to rural residents 24/7: Pipestone, Ihlen, Jasper, Trosky, Edgerton, Hatfield, Woodstock, Holland and Ruthton.

Pipestone County addressed SCORE recycling short falls by doing the following items:

- Obtaining recycling tonnages for Pipestone County from Alter Metal, (100 Tons).
- Contacting County thrift stores for tonnages, (10 Tons).
- Contacting and visiting each of the city yard waste sites and obtaining composting pile yardages, (800 Tons).
- Contacting County salvage and auto body garages for potential recycling tonnages, (9 Tons).
- Additionally, they are working jointly as a region to increase their plastics capture rate by providing a dedicated collection container for all types of plastics in addition to promoting the collection of more ag plastics.

Pipestone County began implementing these new policies and procedures in 2024 and will review and update them as necessary throughout the life of the new plan.

11. Recycling Programs

b.10. Redwood/Renville Counties

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate
30,017	47.41%	13,156	35.00%

Redwood and Renville Counties have residential single sort curbside recycling. West Central Sanitation is the recycling collector and will pick up recycling bi-weekly. Locations with a single sort residential curbside program are anticipated to continue with a single sort program.

There are fifteen recycling drop off locations available to Redwood County residents 24/7: Belview, Clements, Delhi Township, Gales Township, Johnsonville Township, Lamberton, Lucan, Milroy, Morgan, Underwood Township, Vesta, Wabasso, Walnut Grove, Wanda, and the Redwood/Renville Recycling Facility. Curbside recycling is available in all municipalities in Redwood County.

There are thirteen recycling drop off locations available to rural Renville County residents 24/7: Bird Island, Boon Lake Township, Buffalo Lake, Danube, Fairfax, Franklin, Hector, Morton, Olivia, Renville, Sacred Heart (2), Renville Co. Landfill. Curbside recycling is available in all municipalities in Renville County.

Since 2015, the Redwood-Renville Regional Solid Waste Authority (RRRSWA) has had a longstanding relationship with West Central Sanitation to provide recycling collection services for businesses and residents in Redwood and Renville Counties. These recycling collection services include: the distribution of 95-gallon recycling carts for residential and businesses, the distribution of 8-yard rural recycling site containers, the organized collection of the old 95-gallon recycling carts and 8-yard rural recycling containers, and the updated routing of city collection and rural recycling containers.

In 2023, RRRSWA went through a solicitation process to select a recycling company for Redwood and Renville Counties. Through careful vetting and many considerations, West Central Sanitation was selected by RRRSWA. West Central Sanitation has met all the county requirements, including bonding and licensing, and was awarded the contract by RRRSWA. Under that contract, West Central Sanitation is the recycling collector/hauler for any commercial and industrial customers that request recycling services within the two counties.

11. Recycling Programs

b.11. Rock County

2024 MSW	2024 Recycling Rate	Recycling (Tons)	Goal Rate	Goal Tons	Increase Needed
7,036	32.42%	2,070	35.00%	2,463	393

Rock County has residential single sort curbside recycling. There is curbside pickup in Luverne, Hills, Steen, Beaver Creek, and Hardwick; Magnolia and Kenneth utilize the drop off sites within their communities.

Ketterling Services, Inc. operates a recycling center (Tuesday – Friday from 8-12 and 1-5, Saturdays from 9-12); and there are Recycling Drop Off Locations available 24/7 in Hills, Steen, Kanaranzi, Magnolia, Kenneth, Hardwick, and Beaver Creek.

Rock County plans to address the SCORE recycling shortfalls by performing the following tasks:

- Obtaining recycling tonnages from Alter Metal - 2025
- Contacting county thrift stores for tonnages - 2026
- Contacting auto body garages, auto parts stores, and repair shops for potential recycling tonnages - 2026
- Contacting and visiting each of the city yard waste sites and obtaining composting pile tonnages - 2025

- Adding smaller specialty types of recycling, such as holiday lights collection/recycling – 2026
- The Rock County Land Management Office will be moving to a new, county owned site, with some added inside storage, in late 2025/early 2026, and will be looking at adding some smaller specialty types of recycling such as holiday lights collection/recycling
- Additionally, they are working jointly as a region to increase their plastics capture rate by providing a dedicated collection container for all types of plastics in addition to promoting the collection of more ag plastics

Rock County intends to begin implementing these new policies and procedures in 2025 and will review and update them as necessary throughout the life of the new plan.

11. Recycling Programs

b.12. Yellow Medicine County

2024 MSW	2024 Recycling Rate	Recycling	Goal Rate
9,110	43.41%	3,954	35.00%

Yellow Medicine County has sorted residential curbside recycling. Recyclables are separated by residents and placed in bins at curbsides. Yellow Medicine County intends to continue residential sorted curbside recycling programs.

Yellow Medicine County has a total of 7 drop sites throughout the county that collect recyclables in 30 cubic yard roll-off containers. Locations include the communities of Canby, Clarkfield, Echo, Granite Falls, Porter, St. Leo, and Wood Lake and are open 24/7. Yellow Medicine contracts for bi-weekly curbside recyclable collection in every community in the county.

Yellow Medicine County addressed the SCORE recycling shortfalls by doing the following items:

- Obtaining recycling tonnages for Yellow Medicine County from Alter Metal.
- Contacting County thrift and reuse stores for tonnages.

- Requesting recycling tonnages from businesses that have not been contacted in the past for these amounts.
- Supporting a local plastic film recycling program that was recently launched.
- Additionally, they are working jointly as a region to increase their plastics capture rate by providing a dedicated collection container for all types of plastics and promoting the collection of more ag plastics.

Yellow Medicine County intends to begin implementing these new policies and procedures in 2024 and will review and update them as necessary throughout the life of the new plan.

2026 Southwest Regional Solid Waste Plan

11. Recycling Programs

c. Annual Recycling Tonnages Collected

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	Grand Total
Building materials							2	260			262
Electronic devices							5	1			6
Glass	2193	2214	2,139	2,102	2,044	2,515	4,105	3,043	2,816	2,836	24,870
Hazardous	1165	971	1,115	1,142	1,090	1,033	1,114	1,189	975	1,158	11,829
Household							502	417			919
Metal	13831	4376	4,133	7,731	3,971	5,092	5,654	12,619	11,275	18,989	87,589
Organic	1838	2238	3,244	1,477	1,630	1,490	2,057	36,004	39,084	6,009	52,877
Other	13816	19724	15,292	11,690	9,317	9,097	11,885	8,921	13,619	15,191	128,183
Other reuse							24	34			58
Paper	20157	21417	20,290	21,228	19,905	17,922	20,591	19,051	16,927	17,774	205,603
Plastic	1603	1813	2,055	1,968	1,615	1,516	1,946	1,485	1,808	1,142	17,264
Grand Total	54,602	52570	48,269	47,338	39,573	38,666	47,884	83,024	86,504	63,098	561,528

Source: MPCA SCORE Data

The above table demonstrates the total amounts of recycling for the entire region over the last ten years. While it is important to track the regional numbers, given the wide geography of southwest Minnesota there will also be differences between individual counties given haul distances, available recyclers and the needs of the community.

12. Yard Solid Waste Management

a. Yard Waste Policy and Goals

It is the goal of the SWRSWC and its member counties to assure yard waste does not enter any MSW, resource recovery, or demolition landfill except for the purpose of reuse, composting or co-composting.

- The SWRSWC member counties will continue to prohibit by ordinance the disposal of yard waste in any MSW or demolition landfill, and resource recovery facilities as applicable.
- The SWRSWC and its member counties will educate residents on options for composting and proper disposal of yard waste.
- SWRSWC and its member counties will explore barriers and coordinate enforcement of yard waste restrictions. Landfill operators trained and instructed in identifying illegal disposal of yard waste in the MSW and C&D waste stream.

In 1992, all member counties of the SWRSWC banned yard waste from MSW, demolition, and resource recovery facilities. The majority of yard waste programs that include yard waste and brush are operated by municipalities.

There are 60 existing community yard waste composting sites in the SWRSWC area and four sites at landfills or transfer stations: Nobles County Landfill, Renville County Landfill, Cottonwood County Landfill, and the Rock County Transfer Station, and all are anticipated to continue to operate a yard waste compost site during the planning period.

The five communities of Dawson, Madison, Pipestone, Redwood Falls, and Luverne currently operate curbside yard waste programs and are anticipated to continue. It is not anticipated that additional communities will initiate curbside pickup of yard waste in the next ten years.

The SWRSWC and member counties will continue to provide outreach and promote the current yard waste drop-off sites. Promotion will continue to be through ads, public service announcements, and brochures, especially during the spring and fall, the typical seasons that the compost sites are used most. Promotion will be a reminder to residents that yard waste is prohibited as part of the waste to the MSW and Demo landfills.

RRRSWA has for many years promoted, sold and continues to sell residential compost bins to its residents at cost, to promote backyard composting. This helps keeps this valuable material from being disposed of in the landfill.

13. Source Separated Organic Materials Composting

a. Policy and Goals

It is the goal of the SWRSWC and its member Counties to:

- Support source separating of organic materials and Minnesota Statutes and Rules.
- Encourage businesses producing organic waste to use licensed separated organic haulers.
- Enhance education of the options and collection opportunities of source separated organic materials.

Policies the SWRSWC and its member counties will implement to achieve these goals include:

- Providing information and education to residents, municipalities, and businesses producing organic waste.
- Encouraging and assisting the development of source separated organic composting sites.
- Encouraging backyard composting of organic food waste.

LQPV High School no longer has a food scraps composting program, and they no longer have the vegetable greenhouse that the compost from these scraps was being used for. LQP County doesn't have a composting plan or site, but composting bins were purchased and given away as prizes for the drawing held yearly at the LQP County Fairs through 2022.

On May 10th, 2024, CLIMB Theatre presented environmentally-based plays to the K-2nd graders at the two elementary schools in Lac qui Parle County. This play focused on recycling and also promoted composting and source separated organics collection. Staff spoke after the play and talked about how even though there isn't a composting program, they could start small by composting at home. The cost of this play was \$2,800. Staff also continues to provide information on composting on the county website and have informational flyers available for the public at the courthouse as well.

14. Municipal Solid Waste Composting

a. Policy and Goals

There are no MSW composting facilities located in the southwest region and the SWSWC/Counties do not plan to implement any MSW composting facilities during the next 10-year planning cycle.

15. Solid Waste Incineration and Energy Recovery

a. Policy and Goals

There are no solid waste incineration/energy recovery facilities located in the southwest region and the Counties/SWSWC do not plan to implement any incineration/energy recovery facilities during the next 10-year planning cycle.

16. MSW land disposal facilities

a. Policy and Goals

The southwest Minnesota region envisions creating the opportunity to develop long-term disposal capacity, ensure pricing stability and reduce costs associated with the hauling of MSW through regional cooperation.

For the current status of landfills in southwest Minnesota please refer to the accompanying Landfill Permits.

The smallest facility in the region is the **Cottonwood County Landfill (SW-143)**. Eighty percent (80%) of the MSW that was disposed of at the Cottonwood County Landfill in 2023 (11,283 tons) comes from Cottonwood County, the other twenty percent (20%) comes from other counties. The facility is located on the northern 40-acre section of property owned by Cottonwood County, approximately six (6) miles northwest of the City of Windom, Minnesota. The legal description of the site is the NE ¼ of Section 31, Township 106N, Range 36W, in Dale Township. The Tipping fee for MSW is \$70.00 per ton.

The **Lyon County Landfill (SW-23)** is located on an 80-acre plot in the N½ of SE ¼ of Section 9, T110N–R42W (Lyons Township) in Lyon County, Minnesota, approximately 10 miles SW of Marshall on State Highway 23. The Lyon County Regional Sanitary Landfill was initially permitted on December 19, 1970, and opened in 1971.

In November, 1986, Lyon County purchased the landfill property from Lyon's Sanitary Landfill, Inc., and contracted with them to continue operation of the landfill until October, 1992, at which time the County assumed operation of the landfill. The landfill was originally permitted for 1,800,000 cubic yards of capacity of which all has been filled. New 5-year permits were issued to the County in 2002 and 2008 which expanded beyond the original permitted volumes.

The MPCA approved a permit for the **Nobles County Landfill (SW-11)** in 1970 located at the corner of 220th Street and Knauf Ave as a privately owned landfill under permit SW-11. The permitted landfill site occupies 63.8 acres in the N ½ of the NE ¼ of Section 4, T102N, R41W of Dewald Township in Nobles County, approximately 10 miles northwest of the city of Worthington. The landfill serves the needs of Nobles County and adjacent counties for the disposal of mixed municipal solid waste.

The landfill consists of two areas of waste placement. The western 17 acres of the site were operated from 1970 to 1983. In 1983, a 16-acre area was permitted. The new permitted area adjoins and extends eastward from the area operated from the previous 1970 – 1983 area. The new 1983 permitted area consists of four phases of development. Waste is currently being placed in the phase IV area. In 1999, Waste Connections based in California bought Schaap Sanitation located in Worthington, MN, from Ron Schaap but continues to use the name Schaap Sanitation.

17. Solid Waste Tire Management Programs

a. Policy and Goals

The SWRSWC will continue to provide convenient and affordable options for problem materials by implementing education and awareness programs for area residents and businesses regarding the proper management of problem materials and evaluating product stewardship initiatives that ensure manufacturers and retailers are responsible for end-of-life management of the items they sell.

When at all possible, solid waste programs direct residents, farmers, and industry to dispose of tires through a certified service station.

If individuals or entities have no other option, tires are collected for recycling at the following locations:

- Cottonwood County Landfill
- Lyon County regional landfill
- Nobles County landfill
- Rock County Transfer Station
- Renville County Demolition Landfill Facility
- Lincoln County Transfer Station – Year around

In addition, some counties host special collection events, for example;

- Yellow Medicine County spring cleanup collection
- Renville County Bi-Annual Tire Collection (special collections)
- Lac qui Parle County Special Item Recycling Site – there are Special Item Collections (once a month from May through October) which are held there and accept tires.
 - Madison has their City-Wide Cleanup in May, where tires are accepted. They're then brought to the Special Item Recycling Site for storage until there are enough for a pick-up.
- Pipestone County holds a one day fall tire collection at the Pipestone County Fairgrounds every other year. Collection participants averages about 25 per collection with an average of 15 tons of tires collected. Residents are encouraged to work through tire businesses or haul tires to Rock or Lyon Co. for disposal throughout the remainder of the year.

18. Electronic Products

a. Policy and Goals

The Southwest Regional Solid Waste Commission counties will continue to provide convenient and affordable recycling options for problem materials generated by area residents and businesses through continued education and awareness programs for residents and businesses regarding the proper management of problem materials. They will evaluate product stewardship initiatives that ensure manufacturers and retailers are responsible for end-of-life management of the items they sell and will support these initiatives when appropriate to the organization.

Electronics banned from disposal at the landfill will continue to be collected through individual county programs and disposed/recycled through certified recycling companies.

Examples of individual county programs are:

Cottonwood County – special collections during City wide clean ups and special collection after the holidays at a variety of locations

Redwood and Renville Counties host monthly Electronic and Appliance Recycling Collections April – October at designated locations in each county.

Lac qui Parle County Special Item Recycling Site – there are Special Item Collections (once a month from May through October) which are held there and accept electronics.

Jackson County holds a recycling collection for electronics and appliances once a year in the Fall. City residents can also put electronics and appliances on the curb for recycling during large garbage pick up days. Some cities hold this pick up biannually and some just annually.

Pipestone County accepts electronics each Wednesday from 7:00 am to 3:00 pm at its HHW facility

19. Major Appliances

a. Policy and Goals

It is the goal of the SWRSWC and member counties that residents and businesses are provided with affordable, easily accessible appliance recycling opportunities that meet all state regulations and requirements.

- The SWRSWC supports member counties current ban of white goods from disposal at landfills; enacted July 1, 1988.
- The SWRSWC and member counties will ensure collection options are available for residents, either through the private sector or as needed through the public sector to ensure all white goods are disposed of in an environmentally safe and appropriate manner, including recycling.

The SWRSWC and member counties will continue to provide outreach regarding how and where to recycle appliances in an environmentally sound manner. The existing programs are working for appliance management, and counties plan to continue the programs in the future.

Major appliances are collected for recycling as per solid waste permits at the following locations;

- **Cottonwood County** Landfill
- **Lac qui Parle County** offers Special Item Collections (once a month from May through October), which are held at the Lac qui Parle County Special Item Recycling Site. In addition to appliances, electronics, tires, and bulbs are also accepted at these collections.
- **Lyon County** regional landfill
- **Jackson County** holds a recycling collection for electronics and appliances once a year in the Fall. City residents can also put electronics and appliances on the curb for recycling during large garbage pick up days. Some cities hold this pick up biannually and some just annually.
- **Nobles County** landfill
- **Rock County** Transfer Station
- **Lincoln County** Transfer Station
- **Redwood and Renville Counties** host special Appliance and Electronic Recycling Collections April – October at designated locations in each county.
- **Pipestone County** HHW and Recycling facility

20. Automotive Mercury Switches, Motor Vehicle Fluids and Filters, and Lead-Acid and Dry Cell Batteries

a. Policy and Goals

When at all possible, solid waste programs direct residents, farmers, and industry to dispose of automotive mercury switches, motor vehicle fluid, filters, and batteries through a certified service station. If individuals or entities have no other option, they are collected for proper recycling and disposal through County household hazardous waste programs.

- The SWRSWC and member counties will continue to participate in the Regional HHW programs through Lyon and Kandiyohi counties.
- The SWRSWC and member counties will continue current broad based education programs, focusing on HHW reduction, reuse of usable products and use of non-hazardous alternatives and continued operation of the HHW facilities.

21. Household Hazardous Solid Waste (HHW) Management

a. Policy and Goals

It is the goal of the SWRSWC and member Counties to reduce the amount of household hazardous waste generated and to divert HHW from the mixed municipal waste stream; to provide citizens with a safe, easy opportunity to dispose of HHW; and ensure proper management of hazardous wastes generated by farms and Very Small Quantity Waste Generators.

- The SWRSWC and member counties will continue to provide access to HHW disposal to all residents in the 12-county area through the operation of HHW facilities and / or through annual collection events.

County/SWRSWC Local Initiatives – HHW Management

Cottonwood County Household Hazardous Waste Facility is Open Monday to Friday 8am to 3pm, Saturdays - the 1st and 3rd from 8am to Noon. They accept all paints/varnishes/stains etc., Household Chemical and Car Products. Their Reuse Area is open the same hours. The HHW Facility is Located at the Cottonwood County Landfill. They also collect Appliances, Electronics, Car Seats, Mattresses, Batteries, Shredded Paper & Fluorescent Bulbs.

21. Household hazardous solid waste (HHW) management

a. Policy and Goals

Jackson County operates a greater than 90-day HHW facility, open May through October. There are facility open times on the first and third Mondays and the third Saturday of each month. They are also available to set up specific appointments to take HHW Monday-Friday, 8am-4:30.

The facility is centrally located in Jackson County in the City of Lakefield, next door to the Solid Waste office. The facility accepts all HHW including waste oils and filters, antifreeze, mercury, batteries, and fluorescent bulbs. When the facility is at capacity, the Nobles County Regional Staff come and assist in emptying it out (lab pack on-site and haul it away for proper handling and disposal at the Lyon County Regional HHW Site).

Lac qui Parle County has HHW collections twice yearly, in the Spring in Madison and in the Fall in Dawson. These collections accept all HHW, including mercury-containing items, flammable products, paint, aerosol cans (empty/depressurized cans can be recycled), and household batteries. Lac qui Parle County residents may also bring Hazardous Wastes and Usable Hazardous Products to the Kandiyohi County Regional Household Hazardous Waste Facility, located in Willmar, MN, any time of the year at no charge. All bulbs, including fluorescent ones, are accepted at no charge at the Special Item Collections, held the second Saturday of the month from May through October.

Lincoln County HHW facility is open Mondays from 1pm-4pm, Wednesdays 8am-4pm, and Saturdays from 8am-noon year around. Will meet by appointment at other times if staff is available. There is a spring collection in Hendricks, Ivanhoe, Lake Benton, and Tyler each year. Lincoln Co. works with the Lyon Co. Regional HHW facility to pick up our HHW and ship to processing. In addition to the HHW collection, we collect fluorescent bulbs and filters for a fee, as well as pesticide containers that have been triple-rinsed.

Murray County has a less than 90-day facility in Slayton that is open Mon – Fri from 8 until 4:30.

Lyon County is a regional HHW facility serving 11 Counties. Lac qui Parle is the only County included in a different HHW region. Lyon County is open M-F 8-4:30, and the 2nd Sat of each month.

In addition to HHW, other problem materials collected for recycling include fluorescent light bulbs, batteries (vehicle & rechargeable), and sharps. This facility also serves as a collection point for many other non-curbside recycling and bulky materials including mattresses, polystyrene, shredded paper, car seats, and computers for refurbishing. Lyon County staff collect HHW from seven counties, while Nobles County provides transportation services of HHW from three counties to the Lyon County facility. Lyon County staff provide updates and guidance to new regional staff as needed.

21. Household hazardous solid waste (HHW) management

a. Policy and Goals

Nobles County's HHW Facility is a greater than 90-day facility and is open every Tuesday from 9:00 AM - 4:00 PM.

Electronics and florescent bulbs are collected every week as well as HHW. Nobles County cleans out the less than 90-day HHW facilities in Rock, Murray and Jackson Counties. The waste is properly packaged and brought to the Lyon County HHW facility for shipment.

Pipestone County constructed a HHW and Recycling Facility in 2012, the facility is located next door to the County Hwy Shop and is managed by a shared staff position with the Hwy Dept. Approximately 50% of the staff position is spent on HHW and recycling efforts. Collections are held year-round on each Wednesday from 7:00 to 3:00. Materials collected include appliances, electronics, florescent bulbs, batteries, used oil and filters, and all household hazardous wastes. HHW material are collected by the regional facility in Lyon County, white goods and electronics go to Surplus Warehouse of Willmar, and other materials to various locations. All materials are collected free of charge to Pipestone County residents. Business electronics, white goods and florescent bulbs are accepted but charged a minimal fee to cover disposal costs. Annual facility expenditures are \$80,000, with material disposal costs being approximately \$40,000 and an additional \$40,000 spent on facility and staffing.

Redwood-Renville Counties. The Regional Material Recovery and Transfer Facility promotes using the HHW Facilities when trying to dispose of HHW Materials. Commercial haulers often drop loads on the tip floor littered with HHW materials. Staff collect and transport said materials down to the Redwood County HHW Facility later in the day.

The Redwood County HHW Facility is a greater than 90-day facility. The facility is open year around every Tuesday from 9 a.m. to 1 p.m. and offers a product exchange that provides good reusable products at no cost to 700 – 900 residents annually.

The Renville County HHW Facility is a less than 90-day facility. Materials are collected and transported by Lyon County to the Lyon County HHW Facility in Marshall. There is also a contract with Kandiyohi County for additional HHW material drop off for Renville County Residents.

Rock County operates a HHW facility currently at the Rock County Transfer Station at 1236 North River Road, just east of Luverne. This is a less than 90-day facility. Drop off is by appointment only.

Yellow Medicine County supports a satellite HHW (less than 90-day) facility in Clarkfield. Drop off is by appointment only.

22. Demolition Debris Management

a. Policy and Goals

It is the goal of the SWRSWC and member counties to ensure that demolition debris is managed in a cost effective and environmentally sound manner through disposal at a facility permitted by the Minnesota Pollution Control Agency (MPCA). The SWRSWC and member counties recognize that construction and demolition landfills are needed for a variety of activities that occur in the region including new construction and rehabilitation of buildings, tax forfeiture properties in communities, dilapidated homesteads (cannot be burned and buried), and demolition disposal needs generated by storm events.

- It is the policy of SWRSWC member counties to direct construction and demolition debris to the nearest C&D facility to reduce the amount of debris disposed of illegally.
- County owned and operated C & D facilities will continue to operate as permitted. Whenever possible, recyclable materials will be encouraged to be removed. The public demolition landfills will continue to address opportunities for demolition waste re-use and recycling.
- As needed, other sites may be developed and utilized in accordance with MPCA permit-by-rule requirements.

Excerpt from the letter to MPCA Division Director Benke from the Minnesota Solid Waste Administrators Association regarding the proposed C&D Landfill rules changes.

“The Minnesota Solid Waste Administrators Association (SWAA) appreciates the recent meetings hosted by the Minnesota Pollution Control Agency (MPCA) regarding potential construction and demolition (C&D) rule revisions and their impacts. SWAA wanted to provide the MPCA with our collective feedback as you are reviewing what you heard at the meetings.

Solid waste administrators across the state have numerous concerns with the C&D rule revisions associated with the proposed changes to existing Minnesota Rule 7035.2825. Many of the proposed rule changes, as described during the recent regional meetings, seem to create a one-size-fits-all approach to managing C&D waste disposal in Minnesota that has not thoroughly analyzed socioeconomic impacts and costs, and also does not propose realistic transition time to reach the desired outcomes. Based on the major tenets of rules as presented by the MPCA, we believe that pushing forward with the rulemaking without adjustments will have numerous unintended consequences that would result in a net negative outcome for Minnesota residents, businesses, and those responsible for waste management at a local level. We seek to be constructive with input, fully understand the impacts of the new rule, and ensure there is a realistic plan for how this waste stream will be managed differently in the future.”

22. Demolition Debris Management

b. Existing practices and programs

With the average annual disposal tonnages being consistently around 3,500 tons per year, the **Renville County** Demolition Landfill is expected to reach full capacity either in 2028 or 2029. Renville County Board has operated their MSW/demolition landfill on an expired permit since 2009. They have also proposed expanding or re-locating demolition waste to an existing/closed portion of the landfill on the same footprint. Relocating the disposal of demolition waste from its current on-site location to an un-lined portion of MSW and lining this “new/expansion area” would then co-locate waste atop of a liner, thus reducing any possible future ground water concerns of contamination and give additional capacity to Renville County. Barring approval of this concept, Renville County has chosen to not initiate any plans to expand or construct a new demolition landfill in the future. Renville County has not exhausted the idea of selling or turning the site into a transfer station, and this will be discussed prior to the Demolition Disposal Site being capped.

The **Rock County** construction and demolition landfill is located near the former sanitary landfill approximately 1.5 miles east of the city of Luverne. The former sanitary landfill is subject to the Landfill Cleanup Agreement between Rock County and the Minnesota Pollution Control Agency from December of 1996. It is the only site available for demolition debris disposal within the County.

As the existing infrastructure is in place to operate a transfer station and demo landfill, Rock County initiated contact with the Minnesota Pollution Control Agency in the summer of 2019, inquiring if the State would be willing to release a portion of the property, currently subject to the easement under the Landfill Cleanup Agreement, for a possible expansion. In 2019, there was approximately 9 years of capacity remaining at the landfill. With the closure of several of the region’s C & D landfills, Rock County has experienced a sizable increase in the waste being brought to the landfill.

The current result is Rock County is down to approximately 2 years of remaining capacity. The County is continuing to pursue an expansion of the C & D landfill, by and large basing the construction and operational standards on “lined MSW landfills,” since the Rules governing C & D Landfills are slated to be re-written with liners and leachate collection being required. If the State of Minnesota through the Closed Landfill Unit of the Minnesota Pollution Control Agency can arrive at some form of an agreement to release roughly 9 acres, immediately east and adjacent to the property of the current demo landfill, this could provide the southwestern portion of the 12-county region with more than 300,000 cubic yards of permitted airspace.

22. Demolition Debris Management

b. Existing practices and programs

Rock County will continue to pursue working with the permitting unit and the closed landfill unit of the Minnesota Pollution Control Agency in an effort to expand the C & D landfill and continue to provide this needed service to the citizens of Rock County by continuing the partnership with the Lyon County Regional Landfill by providing needed airspace for construction and demolition waste materials for their member counties.

Lyon County owns and operates a construction demolition landfill and operates a demolition / construction materials transfer station at its county MSW site. Lyon County receives MSW from Rock County and transfers 90% of incoming C&D waste to Rock County for disposal at its C&D landfill near Luverne, MN.

As of 11-21-24, Lyon County has been waiting 12 months for permit renewal for its C&D landfill, and 20 months for the MSW landfill permit renewal (which includes C&D transfer station operations). C&D waste used to be only collected from Lyon County, however, with many recent closures of other public and private C&D landfills, Lyon County is inundated with waste from other Counties, essentially doubling the average annual inflow of waste and placing additional burden on the Rock County C&D landfill.

Lac qui Parle County is hoping to secure funding for the addition of another building, scale, payloader, transport truck, and additional staffing. They are looking at either hosting collection events for other materials, such as C&D waste, Styrofoam, hard plastics, etc., or including these materials as accepted at their Special Item Collections. They would then be able to be stored in said new building and transported as needed to various locations for recycling and/or reuse.

The cost estimate for the building is around \$120,000, the equipment is \$200,000, and the salaries are another \$100,000/year.

In 2025/2026, a number of the southwest counties have joined together to pursue funding for a regional demolition landfill planning grant. If successful, implementation of the grant will begin in 2026.

2026 Southwest Regional Solid Waste Plan

22. Demolition Debris Management

b. Existing practices and programs

Existing Demolition Landfills in the Region

Facility	2023 Capacity Used	Remaining Permit Capacity	Remaining Design Capacity	Remaining Operating Life (Years)
Cottonwood County Sanitary landfill - SW-143	7590	0	28783	3.79
D&G Co Demo Landfill - SW-600 (Closed? No 2023 Report)	0	11916	11916	100
Lyon County Demo Landfill - SW-501	352	68211	68211	88
R&G Demo Landfill - SW-612 (Not open to public)	1972	126281	126281	12
Murray County Demo Landfill - SW-451	1406	0	52119	37.07
Nobles County Landfill - SW-11	12024	38940	38940	3.23
Double D Demolition Landfill - SW-590	4525	45332	45332	10.01
Renville Co Sanitary Landfill - SW-90	7467	38807	38807	4.5
Rock Co Demo Landfill - SW-499	16328	81972	81972	5
Minnesota Falls Demo Landfill - SW-474	1285	29661	29661	23.08

Source: MPCA

23. Solid Waste Ordinance and Licensing

a. Status of Ordinances

Cottonwood County's solid waste ordinance was approved in 1993.

Jackson County is still operating under a Solid Waste Ordinance passed in 1992 which has had no major changes. The only large changes regarding Solid Waste in Jackson County since the adoption of the ordinance would be to the Residential and Commercial Recycling Programs. These were added (and the Commercial recycling program was ended) through separate resolutions. They currently license (annually) the three waste haulers in Jackson County. The fee is \$50 per hauling vehicle. They also license recyclers in Jackson County, but the fee has been waived for many years.

Lac qui Parle County's first Solid Waste Management Plan was approved by the State in 1989. This original plan was amended in 1992, in 1995, and last updated in 2002 as part of our Solid Waste Management Plan Update. The County has been able to enforce the licensed/permitted hauler portion of the ordinance for their contracted solid waste and recycling hauler.

Lincoln County's current solid waste ordinance was approved in 2000 and last amended in 2009 as part of their Comprehensive Development Ordinance. The County intends to continue enforcing the licensed/permitted hauler portion of the ordinance.

Lyon County's ordinance dates back to 1992. The Lyon County Environmental Department oversees solid waste licensing for both Lyon and Yellow Medicine Counties.

Murray County's Solid Waste Ordinance is from 1991. The County intends to continue enforcing the licensed/permitted hauler portion of the ordinance.

Nobles County: Original Ordinance 1972, updated in 1993 and 2009. The County has encountered few problems in enforcement of its Solid Waste Ordinance. The 2009 update addressed new state laws and programs that have been implemented since 1993. As the ordinance is reviewed, volume-based fees, other financial incentives for solid waste abatement, demolition solid waste, and regulation of on-site disposal of solid waste will be considered. The County would like to update the ordinance to address the enforcement section of the ordinance and add fluorescent bulb management rules to the Nobles County Solid Waste Ordinance within 5-7 years.

Pipestone County: Original Ordinance 1993. The licensing of haulers is identified in the County Ordinance. The license process is that haulers provide a copy of their insurance to the County, and the County maintains a list of licensed haulers which is updated annually. The County does not charge a fee. The County does not plan to update the ordinance at this time unless found necessary to meet the goals and policies of the SWRSWC Plan.

23. Solid Waste Ordinance and Licensing

a. Status of Ordinances

In March of 2019, the **Redwood County** Board of Commissioners passed an updated version of its original 1972 county solid waste ordinance by recommendation of the Redwood – Renville Regional Solid Waste Authority (RRRSWA) Board. Items such as definitions, haulers licensing (including insurance and bonding requirements), hauling facilities, and burning and burying were addressed with the new update. In 2026, Redwood County will be looking to replace its 2019 ordinance with the newly adopted 2025 Renville County Solid Waste Ordinance, creating one uniform ordinance that administration can use to aid and address solid waste concerns, issues and enforcement.

In January of 2025, the **Renville County** Board of Commissioners passed an updated version of its original 1995 county solid waste ordinance by recommendation of the Redwood-Renville Regional Solid Waste Authority (RRRSWA) Board. Items such as definitions, haulers licensing (including insurance and bonding requirements), designated disposal facility and locations. It is the goal of the RRRSWA Board and Renville County to use this updated ordinance as the template to be adopted by Redwood County as the uniform ordinance that administration can use to aid and address solid waste concerns, issues and enforcement.

Each County requires that all solid waste collected and removed from every premises, business or industry shall be transported to the appropriate facility licensed and designated for that purpose, pursuant to the laws of the state and chapters by ordinance. Outside of municipal limits of any community, in areas zoned Agricultural, the owner, lessee, and/or occupant of any premises or business establishment shall be responsible for the collection and transportation of solid waste.

In Redwood and Renville County, Municipalities are responsible for selecting the structure for the collection of refuse within their jurisdictions, such as open market or specific licensed hauler(s), said haulers who will transport the refuse/municipal solid waste (MSW) to the county designated solid waste disposal facility location, which is the Redwood-Renville Regional Material Recovery and Transfer Facility, 907 West Bridge St., Redwood Falls, MN. For construction and demolition waste the county has provided a disposal site compliant with MPCA standards and is currently located at 32877 County Road 4, Olivia, MN.

Rock County: Original Ordinance 1993. The County does not plan to update the ordinance at this time unless found necessary to meet the goals and policies of the SWRSWC Plan.

Yellow Medicine County: Original Ordinance 1998. The County does not plan to update the ordinance at this time unless found necessary to meet the goals and policies of the SWRSWC Plan.

24. Solid Waste Staffing

a. Existing Staffing Levels

Cottonwood County currently has a half-time Solid Waste Administrator, a full-time Assistant Solid Waste Administrator, a half-time scale operator and 2 FTEs of Landfill staff.

Jackson County. The staff involved in solid waste activities in Jackson County consist of the following positions: Solid Waste Coordinator and Administrative Assistant for a .75 FTE. When they are able (in some years there have not been any applicants), the County also hires a Land Management Seasonal Intern position. This temporary, full-time position adds approximately .25 FTE during the summer months (May-September) and the work is focused on providing assistance with HHW drop-offs and monitoring rural recycling sites. The County will continue to provide all the services currently provided to residents. The County will continue to monitor the current and future needs for additional personnel. As in the past, new legislation, new initiatives and the operating budget will continue to dictate the amount of staff needed and that the county will ultimately be able to employ.

Lac qui Parle County has one full-time employee in the Environmental Department who is actually employed by the Lac qui Parle-Yellow Bank Watershed District to do this work for the County. Other staff may be called upon to assist from time to time, but the hours committed are negligible.

Lincoln County Environmental office currently has 5 employees that have a variety of job duties to include solid waste. Budgeted hours are 1.25 FTE for both 2024 and 2025 for solid waste activities. Lincoln County received an MPCA GRMN Recycle and Compost grant that included some staff hours to increase recycling rates and start up their reuse building.

Lyon County currently has 5 FTE employed at the Landfill, Admin 0.75 FTE, HHW 1.5 FTE and Recycling 2.5 FTE for a total of 9.75 FTEs.

Murray County currently has a .25 FTE Solid Waste Administrator, a .20 FTE Assistant SWA, .25 FTE at the demo landfill, a .75 FTE Recycling Manager and a .725 FTE Recycling Worker.

Nobles County currently has 1.75 FTEs employed in solid waste.

2026 Southwest Regional Solid Waste Plan

24. Solid Waste Staffing

a. Existing Staffing Levels

Pipestone County currently has .33 FTE of the Environmental Administrator, .5 FTE of the SWCD Administrative Assistant and .5 FTE in HHW for a total of 1.33 FTEs.

Rock County has a half-time Solid Waste Administrator and an additional .18 FTE in solid waste administration, 1.5 FTE at the Rock County Landfill, .10 FTE of office staff and .10 FTE in HHW.

RRRSWA currently has a .75 FTE Solid Waste Administrator, one FTE at the demo landfill, 2 FTE in administration for the MRF, .25 FTE in recycling and .10 in HHW.

Yellow Medicine County contracts for up to 150 hours annually from Lyon County.

Position FTEs	Cottonwood	Jackson	Lac qui Parle	Lincoln	Lyon	Murray	Nobles	Pipestone	RRRSWA	Rock	Yellow Medicine
Landfill	2.0				5	.25 (demo)			1.0	1.5	
SWA	1.50	.5	.25	.5		.25	1.75	.33	.75	.50	(150 hours from Lyon)
HHW			.25	.25	1.5			.5	.10	.10	
Admin.	.5	.25	.25	.25	.75	.20		.5	2.0	.28	
Recycling			.25	.25	2.5	1.475			.25		

25. Solid Waste Program Funding

a. Projected Costs

Annual Solid Waste Costs by County

County	Total Annual Program Expenses	Funding Sources
Cottonwood	\$1,294,544	SCORE funding, solid waste assessment, HHW Fees, Rebates, Tipping Fees
Jackson	\$247,810	SCORE funding, solid waste assessment, HHW Fees
Lac qui Parle	\$176,205	SCORE funding, solid waste assessment, HHW Fees
Lincoln	\$388,132	SCORE funding, solid waste assessment, HHW Fees, Tipping fees
Lyon	\$3,657,211	SCORE, License fees, Charges for services, Solid Waste Assessment, Landfill Rebate, Tipping Fees
Murray	\$388,134	SCORE funding, solid waste assessment, HHW Fees
Nobles	\$357,687	SCORE, License fees, Charges for services, Solid Waste Assessment, Landfill Rebate, Tipping Fees
Pipestone	\$338,225	SCORE funding, solid waste assessment, HHW Fees
RRRSWA	\$2,448,507	SCORE funding, solid waste assessment, HHW Fees, Tipping Fees
Rock	\$651,322	SCORE funding, solid waste assessment, HHW Fees, Tipping fees
Yellow Medicine	\$149,025	SCORE funding, solid waste assessment, HHW Fees
SWSWC	\$10,096,802	

Source: MPCA SCORE Reports

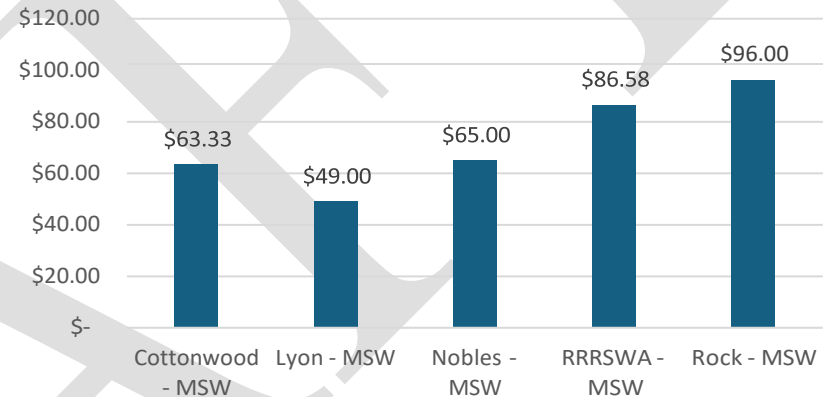
2026 Southwest Regional Solid Waste Plan

25. Solid Waste Program Funding

b. Tipping Fees

Tipping Fees - 2025	Per-ton	
	In-county	Out of County
Cottonwood - MSW	\$ 63.33	\$ 73.33
Cottonwood - C&D	\$ 33.00	\$ 38.00
Lincoln - C&D	\$15/yard	\$15/yard
Lyon - MSW	\$ 49.00	\$ 49.00
Lyon - C&D	\$ 36.50	\$ 36.50
Nobles - MSW	\$ 65.00	\$ 65.00
Nobles - C&D	\$ 40.00	\$ 40.00
RRRSWA - MSW	\$ 86.58	\$ 86.58
RRRSWA - C&D	\$ 47.00	\$ 47.00
Renville - C&D	\$ 34.00	\$ 34.00
Rock - MSW	\$ 96.00	\$ 96.00
Rock - C&D	\$ 30.00	\$ 30.00
Chippewa, MN - MSW	\$ 100.00	\$ 100.00
Chippewa, MN - C&D	\$ 35.00	\$ 95.00
Dickinson County, IA	\$ 102.00	\$ 102.00
Brookings, SD - MSW	\$ 48.75	\$ 58.25
Brookings, SD - C&D	\$ 60.70	\$ 60.70

In -County Tipping Fees, SWSWC Counties



In County C&D



26. Plan Review and Ten-Year Update

a. Process

The counties and the Solid Waste Commission will abide by the planning rules and guidelines of the State of Minnesota, providing plans every ten years or as mandated. Each participant in the Southwest Minnesota Regional Solid Waste Management Plan will be responsible for updating their plan in ten years. Prior to the due date for the updated plan, the Southwest Solid Waste Administrators will discuss the potential for initiating an update to the regional plan.

The process will, assuming no change in Minnesota Statute, consist of the SWRSWC, member counties, and Solid Waste Administrators reviewing the existing plan, beginning in 2032. This process will be significantly easier because of the development and implementation of the work plan and annual documentation of results. The Goals and Policies will be reviewed by County staff and County Boards, and SWRSWC Commissioners, and revised as needed. The existing programming will then be reviewed in relationship to the goals and policies. Adjustments in the programming will be made in order to more effectively and efficiently achieve goals and policies.

Specific issues to be evaluated will be identified during the annual review, including ways to reduce landfilling and increase recycling, evaluation of individual county efforts and regional efforts, and determining what has been successful and what has not.

Annual status reports will be presented to the SWRSWC at their November meetings, with the purpose of structuring an annual review procedure and process for the Solid Waste Plan. This process will enable the SWRSWC to review and evaluate the effectiveness of the goals, policies, and implementation schedules and provide the flexibility to embrace new opportunities not known or recognized at the time of plan adoption, as well as prepare for changes when the new planning process commences.

The entire plan update process will be coordinated with MPCA staff and will include public outreach / input.

27. Development of Numeric Goal/Volume Table

- a. Completed GVTs are available in the GVT Appendix

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28. Development of Solid Waste Program Budget

a. Budget available in budget Appendix

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29. Alternatives to Proposed System

a. Contingency Plan

If components of the proposed solid waste management system experience major operational difficulties, the Counties/SWRSWC have contingency plans. SWRSWC will include methodology to monitor and evaluate the activities to avoid operational difficulties in Waste Reduction, Waste Education and Recycling activities. If the activities are found to be ineffective, cannot be developed, or have operational difficulties, alternative strategies will be found to develop and implement to reach the goals identified in this Plan.

On an Annual basis, the SWRSWC will monitor and evaluate the Waste Reduction, Waste Education, and Recycling Activities in the planning area, by county and as a region. In July of each year, the SWA's will meet to review the SCORE data and compare the data to the Goal Volume Table and programs implemented.

The SWA's will develop a draft report with what programs are working well, recommendations for additional programs to initiate and/or programs to discontinue. If initial data reveals goals are not being met and alternative strategies need to be developed and implemented; the SWA's will begin to identify alternatives for implementation.

A full written progress report will be presented and reviewed by the SWRSWC at their November meetings where further direction by the SWRSWC will be given.

If the SWRSWC finds activities are found to be ineffective, cannot be developed or have operational difficulties, alternative strategies will be researched by seeking input from the SWA's, MPCA and other organizations.

30. Environmental and Public Health Impacts

a. On-site disposal of MSW

County	On-site Disposal Percentage
Cottonwood	3.51%
Jackson	5.98%
Lac qui Parle	11.4%
Lincoln	4.4%
Lyon	3.46%
Murray	4.87%
Nobles	1.91%
Pipestone	5.87%
RRRSWA	4.43%
Rock	4.76%
Yellow Medicine	3.97%

The approximate percentage of residents disposing of solid waste on-site in each county. This solid waste never enters the “official” waste management collection system and is managed through burying or burning.

Although this method is easy and low cost to the waste generator, there are significant risks to public health and the environment from on-site disposal of MSW. These risks include:

- Contaminated surface and groundwater from the leachate resulting from the inappropriately burned or buried garbage;
- Air pollution from particulates and chemicals released during open burning in burn barrels;
- Health risks to nearby residents caused by open burning. Those especially at risk are young children, the elderly, and those with respiratory problems;
- Aesthetic issues from on-site dumping; and
- Grass/brush fires from trash fires.

Smoke from burning trash may contain arsenic, benzene, cadmium, carbon monoxide, chromium, dioxin, formaldehyde, hydrochloric acid, lead, nitrogen oxide, polycyclic aromatic hydrocarbons and sulfuric acid.

These pollutants and the small particulates which come from burning trash may cause such health problems as eye, nose, and throat irritation, lung irritation and congestion, skin irritations or burns, stomach or intestinal upset, eye damage and headaches or memory loss.

30. Environmental and Public Health Impacts

b. Illegal disposal

There are significant risks to public health and the environment from illegal disposal of MSW. These risks include:

- Contaminated surface and groundwater from the leachate resulting from the illegally disposed garbage and
- Aesthetic problems from litter and the financial cost of cleanup.

Unlawful disposal of waste in or on public or private lands, shorelands, roadways, or water is cause for a civil penalty based on the cost to legally remove, process and dispose of the waste (Minnesota Statute, Section 115A.99). A person unlawfully depositing such material is guilty of a misdemeanor (Minnesota Statute Section 609.68).

The effects of both on-site and illegal disposal are increasingly being recognized as detrimental to public health and the environment. A small portion of residents in the northeast region are not currently served by a solid waste collection system, and a portion of those are assumed to be managing their waste on-site.

Complaints of illegal dumping are occasionally filed with the Counties' Sheriff's Office or the Department of Natural Resources. The county solid waste management departments respond to these complaints of illegal dumping on a case-by-case basis. The counties and the Solid Waste Commission encourage voluntary compliance through direct dialogue with the alleged violators.

Currently, the county Solid Waste Administrators conduct public education to discourage on-site disposal. In addition, the counties encourage recycling by supporting municipal curbside collection and providing drop-off centers.

31. Solid Waste Facility Siting Program (if needed)

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32. Public Participation Program

a. Documentation

All documentation of regional public participation and public input through the Solid Waste Commission meetings regarding the Solid Waste Management Plan will be maintained on file at the Southwest Regional Development Commission. Documentation of public participation in individual counties will be maintained by each County Solid Waste / Environmental Office. Separate files will be maintained for comments made by citizens, public advisory committees, regional authorities, adjacent counties or districts, local units of government and solid waste service companies conducting business within the County. Records to be kept will include all correspondence sent, notes and records of related public meetings, notes and records of telephone calls, and electronic copies of e-mails received.

Stakeholder participation was used in the planning process for the plan development. Stakeholders consist of the SWRSWC board members, the Solid Waste Administrators from Cottonwood, Jackson, Lac qui Parle, Lincoln, Lyon & Yellow Medicine, Murray, Nobles, Pipestone, Redwood, Renville, and Rock counties, the Redwood-Renville JPA, the Southwest Regional Development Commission board and staff, Minnesota Pollution Control Agency Staff, with input from haulers, waste facilities, public entities, and the public.

The SWRSWC meets four-six times per year and meetings are open to the public. Member counties also have meetings with private haulers, businesses, city staff, and civic groups to discuss any and all related solid waste and recycling issues, ordinances, and State Statutes under Minnesota Statutes 473 and 115A.

During 2023-24, the SWRSWC held meetings where the solid waste management plan, the integrated system, as well as changes to the system and the planning process were discussed. These meetings are open to the public and are noticed through the county notice process. Individual County ordinances, resolutions, and plans are available at county offices and/or on-line.

An ongoing process to ensure the involvement and consultation with interested parties will be maintained as follows: Solid waste management is regularly discussed at County Board meetings, which are public and open, and noticed in the local newspaper, including the agenda. Board meeting minutes are published in the local newspaper and on-line. The Solid Waste Administrator Office maintains an open access to all county residents and interested parties. Upon preliminary MPCA staff approval this plan will be placed on public notice and be open to comments from the public. Each County Board of the SWRSWC will adopt the Plan as well as the Southwest Regional Solid Waste Commission. Approved minutes will be available upon request. The twelve county resolutions as well as the SWRSWC resolution adopting the Plan will be in the Appendix.

33. Multi-County Planning

a. Documentation

Compliance with Minnesota State and Rules are identified within the plan.

The Regional Solid Waste Management Plan will be overseen by the SWRSWC. All member counties have responsibility to implement areas of the plan, either individually or collectively.

The Solid Waste Administrators group will develop a guidance document that will serve as an annual work plan to measure the success of the integrated waste management strategies. A website presence and use of social media will enable additional outreach. Regional Trainings sponsored by the Solid Waste Commission and/or the Regional Solid Waste Administrators will assist in educating groups such as contractors on the proper process for disposal of rural buildings. Other activities that will be looked at on a regional basis are grant funding requests, business waste audits, and common recycling disposal methods.

The Regional Plan will be adopted by each of the member counties as well as the SWRSWC. Copies of the resolutions are included in the Appendix.



Cottonwood
Jackson
Lac qui Parle
Lincoln
Lyon
Murray
Nobles
Pipestone
Redwood/Renville
Rock
Yellow Medicine

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

1. Cottonwood County

Previous 5 Years Data						Tons Recycled By Material Category					
Management Method - Tons	2020	2021	2022	2023	2024		2020	2021	2022	2023	2024
Landfill	8856	10191	10364	8894	8976	Glass	193	174	162	124	174
Onsite	42	462	630	210	42	Hazardous	0	0	2	11	17
Organics	71	0	0	323	1369	Metal	20	46	43	33	233
Recycling	1367	1168	1372	1395	1952	Organics	71	0	0	323	1369
WTE	0	0	0	0	0	Other	219	0	248	356	486
Total MMSW	8898	10652	10994	9104	9018	Paper	884	902	873	839	995
Recycling+Organics	1438	1168	1372	1718	3321	Plastics	51	46	43	33	47
Recycling Rate	13.9%	9.9%	11.1%	15.9%	26.9%	Total	1438	1168	1372	1718	3321
Total MSW	10336	11820	12366	10822	12338						
Non-MSW	2020	2021	2022	2023	2024	Problem Materials	2020	2021	2022	2023	2024
Industrial	81	61	309	76	38	antifreeze	0	0	0	0	0
Construction & Demo	4007	3495	2805	2097	2757	electronic devices	26.6	0	19.65	29.12	32.71
						major appliances and white gc	77.4	0	64.2	78.9	75.14
						used oil	0	0	0	0	7.29
						vehicle batteries	0	0	0	0	1.2
						waste tires	87.8	0	135.42	190.15	253.61
						Total	191.8	0	219.27	298.17	369.95

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

1. Cottonwood County

County **Cottonwood**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	1900.360415	1894.679	1888.653	1882.111	1875.224	1867.993	1860.246	1852.326	1843.89	1835.11
Organics	1332.572237	1328.588	1324.363	1319.775	1314.946	1309.876	1304.443	1298.89	1292.974	1286.817
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	9410	9504	9599	9695	9792	9890	9989	10089	10190	10292
Total Tons	12642.93265	12727.27	12812.02	12896.89	12982.17	13067.87	13153.69	13240.22	13326.86	13413.93
Total Populatio	11038	11005	10970	10932	10892	10850	10805	10759	10710	10659
Per Capita	1.084529899	1.08453	1.08453	1.08453	1.08453	1.08453	1.08453	1.08453	1.08453	1.08453

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	2302	2256	2211	2167	2123	2081	2039	1998	1958	1919

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	4500	4500	4500	4500	4500	4500	4500	4500	4500	4500
Construction & Demolition	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

1. Cottonwood County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		3,800	3,795	3,789	3,782	3,875	3,968	4,160	4,152	4,144	4,135
Organics		1,833	1,829	1,824	1,820	1,815	1,810	1,804	1,799	1,793	1,787
Combined Recycling Rate		35%	35%	35%	35%	35%	35%	35%	35%	35%	35%
Waste-to-Energy (minus recyclables and nonprocessibles)		0	0	0	0	0	0	0	0	0	0
Landfill		9,410	9,504	9,599	9,695	9,792	9,890	9,989	10,089	10,190	10,292
Cottonwood County Landfill - SW-143		9,410	9,504	9,599	9,695	9,792	9,890	0	0	0	0
Other facility		0	0	0	0	0	0	9,989	10,089	10,190	10,292
Capacity Used		9,905	10,004	10,104	10,205	10,307	10,411	10,515	10,620	10,726	10,834
On-site Disposal		966	947	928	910	891	873	856	839	822	806
Total MSW Generated		16,009	16,074	16,140	16,206	16,373	16,541	16,810	16,879	16,949	17,019
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		475	474	472	471	469	467	465	463	461	459
C/I/I		1,425	1,421	1,416	1,412	1,406	1,401	1,395	1,389	1,383	1,376
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		1,900	1,900	1,900	1,900	2,000	2,100	2,300	2,300	2,300	2,300
Organics by sector		2026	2027	2028	2029	2030	2031	C/I/I Recycling Please enter the amount (in tons) of Recycling planned to come from the Commercial/Institutional/Industrial (C/I/I) sector			2035
Residential		333	332	331	330	329	327				322
C/I/I		999	996	993	990	986	982				965
Previously Undocumented Residential		500	500	500	500	500	500				500
Previously Undocumented C/I/I		0	0	0	0	0	0				0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	808	806	803	800	798	794	791	788	784	780
	C/I/I	2,425	2,417	2,410	2,401	2,393	2,383	2,374	2,363	2,353	2,341
Percentage	Residential	14%	14%	14%	14%	14%	14%	13%	13%	13%	13%
	C/I/I	43%	43%	43%	43%	42%	41%	40%	40%	40%	40%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

1. Cottonwood County

Landfilling

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

		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Cottonwood County Landfill - SW-143	% of MMSW managed at facility	100%	100%	100%	100%	100%	100%	0%	0%	0%	0%
	Compaction Rate	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
Other facility	% of MMSW managed at facility	0%	0%	0%	0%	0%	0%	100%	100%	100%	100%
	Compaction Rate	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
	% of MMSW managed at facility										
	Compaction Rate										
	% of MMSW managed at facility										
	Compaction Rate										
	% of MMSW managed at facility										
	Compaction Rate										

Total land disposal capacity needed for waste generated in county

Waste Type	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
MSW	9,905	10,004	10,104	10,205	10,307	10,411	10,515	10,620	10,726	10,834	103,632
Industrial	4,737	4,737	4,737	4,737	4,737	4,737	4,737	4,737	4,737	4,737	47,368
Construction & Demolition	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	46,667
Total Capacity	19,309	19,408	19,508	19,609	19,711	19,814	19,918	20,024	20,130	20,237	197,667

The total land disposal capacity needed from the period of 2026 to 2035 is 197,667 cubic yards

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

2. Jackson County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	5687	4410	4319	4655	4617
Onsite	609	630	504	572	572
Organics	51	116	74	32	0
Recycling	3788	4153	3533	3076	3707
WTE	36	5	3	3	3
Total MMSW	6331	5044	4826	5230	5192
Recycling+Organics	3839	4270	3607	3107	3707
Recycling Rate	37.7%	45.8%	42.8%	37.3%	41.7%
Total MSW	10170	9314	8433	8338	8899
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	323	535	394	655	660
Construction & Demo	456	1074	1457	5759	2778
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	134	143	150	131	128
Hazardous	45	68	51	21	95
Metal	2240	2400	2136	1862	1951
Organics	51	116	74	32	0
Other	577	799	432	287	778
Paper	729	700	693	735	708
Plastics	62	43	72	39	46
Total	3839	4269	3607	3107	3707

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0	0	0	0	1.48
electronic devices	14.2	8.6	7.93	8.42	32.09
major appliances and white goods	18.8	6.3	9.23	8.11	34.64
used oil	0	16.3	18.8	0	65.3
vehicle batteries	17.5	18.02	23.4	12.29	14.45
waste tires	197.5	388	146.51	1.55	0
Total	248	437.22	205.87	30.37	147.96

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

2. Jackson County

County **Jackson**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	3675.247005	3666.226	3656.454	3645.929	3634.653	3622.625	3609.846	3596.315	3582.031	3566.997
Organics	0	0	0	0	0	0	0	0	0	0
WTE	2.885213953	2.878132	2.87046	2.862198	2.853346	2.843904	2.833871	2.823249	2.812036	2.800233
Landfill	4578.090931	4566.854	4554.681	4541.571	4527.525	4512.542	4496.624	4479.768	4461.977	4443.248
Total Tons	8256.223149	8235.958	8214.005	8190.363	8165.031	8138.012	8109.303	8078.906	8046.82	8013.045
Total Population	9778	9754	9728	9700	9670	9638	9604	9568	9530	9490
Per Capita	0.844367268	0.844367	0.844367	0.844367	0.844367	0.844367	0.844367	0.844367	0.844367	0.844367

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	1362	1362	1362	1362	1362	1362	1362	1362	1362	1362

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	500	500	500	500	500	500	500	500	500	500
Construction & Demolition	2000	2000	2000	2000	2000	2000	2000	2000	2000	2000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

2. Jackson County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		3,675	3,666	3,656	3,646	3,635	3,623	3,610	3,596	3,582	3,567
Organics		0	0	0	0	0	0	0	0	0	0
Combined Recycling Rate		42%	42%	42%	42%	42%	42%	42%	42%	42%	42%
Waste-to-Energy (minus recyclables and nonprocessibles)		3	3	3	3	3	3	3	3	3	3
Prairieland Solid Waste Management		3	3	3	3	3	3	3	3	3	3
Landfill		4,578	4,567	4,555	4,541	4,527	4,512	4,496	4,480	4,462	4,443
Cottonwood County Landfill - SW-143		1,030	1,041	1,052	1,063	1,073	1,083	0	0	0	0
Nobles County Landfill - SW-11		2,500	2,498	2,500	2,498	2,499	2,500	2,500	2,500	2,499	2,501
Other facility		1,048	1,028	1,002	981	955	930	1,996	1,980	1,963	1,942
Capacity Used		4,819	4,807	4,794	4,780	4,766	4,750	4,733	4,715	4,697	4,677
On-site Disposal		572	572	572	572	572	572	572	572	572	572
Total MSW Generated		8,828	8,808	8,786	8,762	8,737	8,710	8,681	8,651	8,619	8,585
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		919	917	914	911	909	906	902	899	896	892
C/I/I		2,756	2,750	2,742	2,734	2,726	2,717	2,707	2,697	2,687	2,675
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		0	0	0	0	0	0	0	0	0	0
C/I/I		0	0	0	0	0	0	0	0	0	0
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	919	917	914	911	909	906	902	899	896	892
	C/I/I	2,756	2,750	2,742	2,734	2,726	2,717	2,707	2,697	2,687	2,675
Percentage	Residential	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
	C/I/I	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

3. Lac qui Parle County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	4272	4533	4787	4886	4235
Onsite	1088	998	968	95	94
Organics	0	0	0	67	743
Recycling	2162	2243	2356	2433	3736
WTE	0	0	0	0	0
Total MMSW	5360	5531	5755	4981	4328
Recycling+Organics	2162	2243	2356	2500	4479
Recycling Rate	28.7%	28.9%	29.0%	33.4%	50.9%
Total MSW	7522	7774	8111	7481	8807
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	788	1155	0	0	3
Construction & Demo	3196	1431	3795	2772	1928
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	151	90	99	97	93
Hazardous	0	43	67	71	95
Metal	267	320	282	244	1648
Organics	0	0	0	67	743
Other	205	146	157	341	180
Paper	1384	1437	1528	1469	1485
Plastics	156	201	216	198	203
Total	2162	2237	2349	2487	4446

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0	0.16	1.44	0.7	0.58
electronic devices	11.87	3.3	1.54	5.66	6.48
major appliances and white goods	143.28	122.15	86.53	85.25	79.22
used oil	0	5.98	22.4	33.17	36.86
vehicle batteries	0	18.88	30.34	24.38	41.64
waste tires	38.81	16.85	65.22	82.59	65.99
Total	193.96	167.32	207.47	231.75	230.77

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

3. Lac qui Parle County

County **Lac Qui Parle**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	3756.720651	3754.47	3752.219	3748.843	3744.904	3740.402	3734.775	3728.022	3721.269	3713.391
Organics	747.4626179	747.0148	746.5669	745.8951	745.1114	744.2157	743.0961	741.7525	740.409	738.8415
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	4258.27036	4255.719	4253.168	4249.34	4244.876	4239.773	4233.394	4225.74	4218.086	4209.156
Total Tons	8762.453629	8757.204	8751.953	8744.078	8734.89	8724.39	8711.265	8695.515	8679.764	8661.389
Total Population	6676	6672	6668	6662	6655	6647	6637	6625	6613	6599
Per Capita	1.312530502	1.312531	1.312531	1.312531	1.312531	1.312531	1.312531	1.312531	1.312531	1.312531

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	230	230	230	230	230	230	230	230	230	230

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	500	500	500	500	500	500	500	500	500	500
Construction & Demolition	3000	3000	3000	3000	3000	3000	3000	3000	3000	3000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

3. Lac qui Parle County

Solid Waste		Year								
Mangement Method	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	3,757	3,754	3,752	3,749	3,745	3,740	3,735	3,728	3,721	3,713
Organics	747	747	747	746	745	744	743	742	740	739
Combined Recycling Rate	51%	51%	51%	51%	51%	51%	51%	51%	51%	51%
Waste-to-Energy (minus recyclables and nonprocessibles)	0	0	0	0	0	0	0	0	0	0
Landfill	4,258	4,256	4,253	4,249	4,245	4,240	4,233	4,226	4,218	4,209
Lyon County Regional Landfill - SW-23	3,832	3,830	3,828	3,824	3,820	3,816	3,810	3,803	3,796	3,788
Spruce Ridge Resource Management,	426	426	425	425	424	424	423	423	422	421
Capacity Used	4,482	4,480	4,477	4,473	4,468	4,463	4,456	4,448	4,440	4,431
On-site Disposal	97	97	97	97	97	97	97	97	97	97
Total MSW Generated	8,859	8,854	8,848	8,841	8,831	8,821	8,808	8,792	8,776	8,758
Recycling by sector (excluding WTE)	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential	939	939	938	937	936	935	934	932	930	928
C/I/I	2,818	2,816	2,814	2,812	2,809	2,805	2,801	2,796	2,791	2,785
Previously Undocumented Residential	0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I	0	0	0	0	0	0	0	0	0	0
Organics by sector	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential	187	187	187	186	186	186	186	185	185	185
C/I/I	561	560	560	559	559	558	557	556	555	554
Previously Undocumented Residential	0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I	0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	1,126	1,125	1,125	1,124	1,123	1,121	1,119	1,117	1,115
	C/I/I	3,378	3,376	3,374	3,371	3,368	3,363	3,358	3,352	3,346
Percentage	Residential	25%	25%	25%	25%	25%	25%	25%	25%	25%
	C/I/I	75%	75%	75%	75%	75%	75%	75%	75%	75%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

4. Lincoln County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	2611	2810	2991	2822	3203
Onsite	355	368	355	348	126
Organics	5	16	82	110	654
Recycling	799	805	803	718	2643
WTE	0	0	0	0	0
Total MMSW	2965	3178	3345	3170	3329
Recycling+Organics	804	821	885	828	3297
Recycling Rate	21.3%	20.5%	20.9%	20.7%	49.8%
Total MSW	3769	3999	4230	3998	6625
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	667	882	0	0	12
Construction & Demo	426	703	482	690	767
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	125	128	127	111	129
Hazardous	0	5	19	19	4
Metal	58	57	61	61	1800
Organics	5	16	82	110	654
Other	115	98	87	77	159
Paper	467	480	475	415	487
Plastics	33	36	33	30	50
Total	804	821	885	825	3284

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0	0	0	0	0
electronic devices	2.37	0	6.12	7.01	6.25
major appliances and white goods	38.78	38.72	27	29.97	26.26
used oil	0.05	0.18	0	2.17	0
vehicle batteries	#N/A	0	0	0	0
waste tires	50.58	34.76	21.28	9.66	63.81
Total	#N/A	73.66	54.4	48.81	96.32

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

4. Lincoln County

County **Lincoln**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	2642.984759	2636.338	2629.217	2621.621	2613.55	2605.004	2595.509	2585.539	2575.569	2564.649
Organics	654.1074973	652.4625	650.7001	648.8201	646.8227	644.7077	642.3578	639.8903	637.4229	634.7204
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	3203.315411	3195.26	3186.628	3177.422	3167.64	3157.282	3145.774	3133.691	3121.607	3108.373
Total Tons	6500.407668	6484.06	6466.545	6447.863	6428.012	6406.994	6383.641	6359.12	6334.599	6307.742
Total Population	5567	5553	5538	5522	5505	5487	5467	5446	5425	5402
Per Capita	1.167667984	1.167668	1.167668	1.167668	1.167668	1.167668	1.167668	1.167668	1.167668	1.167668

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	300	300	300	300	300	300	300	300	300	300

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	100	100	100	100	100	100	100	100	100	100
Construction & Demolition	500	500	500	500	500	500	500	500	500	500

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

4. Lincoln County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		2,643	2,636	2,629	2,622	2,614	2,605	2,596	2,586	2,576	2,565
Organics		654	652	651	649	647	645	642	640	637	635
Combined Recycling Rate		50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Waste-to-Energy (minus recyclables and nonprocessibles)		0	0	0	0	0	0	0	0	0	0
Landfill		3,203	3,195	3,187	3,177	3,168	3,157	3,146	3,134	3,122	3,108
Lyon County Regional Landfill - SW-23		3,203	3,195	3,187	3,177	3,168	3,157	3,146	3,134	3,122	3,108
Capacity Used		3,372	3,363	3,354	3,345	3,334	3,323	3,311	3,299	3,286	3,272
On-site Disposal		126	126	126	126	126	126	126	126	126	126
Total MSW Generated		6,626	6,610	6,592	6,574	6,554	6,533	6,510	6,485	6,461	6,434
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		661	659	657	655	653	651	649	646	644	641
C/I/I		1,982	1,977	1,972	1,966	1,960	1,954	1,947	1,939	1,932	1,923
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		164	163	163	162	162	161	161	160	159	159
C/I/I		491	489	488	487	485	484	482	480	478	476
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	824	822	820	818	815	812	809	806	803	800
	C/I/I	2,473	2,467	2,460	2,453	2,445	2,437	2,428	2,419	2,410	2,400
Percentage	Residential	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
	C/I/I	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

5. Lyon County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	19098	20851	21507	18187	18170
Onsite	902	902	848	844	819
Organics	223	287	33464	36748	97
Recycling	1892	3899	8848	6465	7442
WTE	0	0	0	0	0
Total MMSW	20000	21753	22355	19031	18989
Recycling+Organics	2115	4186	42313	43213	7539
Recycling Rate	9.6%	16.1%	65.4%	69.4%	28.4%
Total MSW	22116	25939	64667	62243	26527
Non-MSW	2020	2021	2022	2023	2024
Industrial	4087	4031	3542	10972	4630
Construction & Demo	6945	6981	9448	10375	7170
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	333	631	272	310	281
Hazardous	0	52	46	18	76
Metal	170	455	6503	4629	5257
Organics	223	287	33464	36748	97
Other	27	375	453	232	86
Paper	1264	2041	1527	1173	1576
Plastics	98	253	46	103	104
Total	2115	4093	42311	43211	7477

Problem Materials	2020	2021	2022	2023	2024
antifreeze	0	0	0	0	0
electronic devices	0	13	37.45	40.57	8.67
major appliances and white goods	0	0	123.9	124.46	0
used oil	0	10.02	10.28	14.42	16.47
vehicle batteries	0	12.34	13.11	0	14.45
waste tires	0	114.35	150.16	0	56.9
Total	0	149.71	334.9	179.45	96.49

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

5. Lyon County

County										
MSW Forecast										
	2,026	2,027	2,028	2,029	2,030	2,031	2,032	2,033	2,034	2,035
Recycling	8,892	8,937	8,937	8,937	8,937	8,937	8,937	8,937	8,937	8,937
Organics	30	31	32	34	35	36	38	39	40	40
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	17,698	17,742	17,787	17,831	17,876	17,920	17,965	18,010	18,055	18,100
Total Tons	26,620	26,710	26,756	26,802	26,848	26,893	26,940	26,986	27,032	27,077
Total Population	26,370	26,421	26,467	26,508	26,542	26,571	26,593	26,608	26,618	26,622
Per Capita	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.02	1.02

Enter the percent of MSW by Sector - this must add to 100%

Residential	24%
C/I/I	76%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	2302	2256	2211	2167	2123	2081	2039	1998	1958	1919

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	4424	4,331	4,602	4,891	5,198	5,524	5,870	6,239	6,630	7,046
Construction & Demolition	2957	2987	3046	3107	3169	3233	3297	3363	3431	3499

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

5. Lyon County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		9,872	9,919	9,921	9,923	9,925	9,928	9,930	9,932	9,934	9,937
Organics		30	31	32	34	35	36	38	39	40	40
Combined Recycling Rate		35%	35%	35%	35%	35%	35%	35%	35%	35%	35%
Waste-to-Energy (minus recyclables and nonprocessibles)		0	0	0	0	0	0	0	0	0	0
Landfill		17,698	17,742	17,787	17,831	17,876	17,920	17,965	18,010	18,055	18,100
Lyon County Regional Landfill - SW-23		17,698	17,742	17,787	17,831	17,876	17,920	17,965	18,010	18,055	18,100
Capacity Used		18,629	18,676	18,723	18,769	18,817	18,863	18,911	18,958	19,005	19,053
On-site Disposal		966	947	928	909	891	873	856	839	822	806
Total MSW Generated		28,566	28,639	28,668	28,697	28,727	28,757	28,789	28,820	28,851	28,883
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		2,134	2,145	2,145	2,145	2,145	2,145	2,145	2,145	2,145	2,145
C/I/I		6,758	6,792	6,792	6,792	6,792	6,792	6,792	6,792	6,792	6,792
Previously Undocumented Residential		80	82	84	86	88	91	93	95	97	100
Previously Undocumented C/I/I		900	900	900	900	900	900	900	900	900	900
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		7	7	8	8	8	9	9	9	10	10
C/I/I		23	24	24	26	27	27	29	30	30	30
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	2,141	2,152	2,153	2,153	2,153	2,154	2,154	2,154	2,154	2,154
	C/I/I	6,781	6,816	6,816	6,818	6,819	6,819	6,821	6,822	6,823	6,823
Percentage	Residential	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%
	C/I/I	68%	68%	68%	68%	68%	68%	68%	68%	68%	68%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

5. Lyon County

MSW Land Disposal Facilities in County (in Tons)

Facility	County of Origin	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Lyon County Regional Landfill - SW-23	Lac Qui Parle	3,832	3,830	3,828	3,824	3,820	3,816	3,810	3,803	3,796	3,788
	Lincoln	3,203	3,195	3,187	3,177	3,168	3,157	3,146	3,134	3,122	3,108
	Lyon	17,698	17,742	17,787	17,831	17,876	17,920	17,965	18,010	18,055	18,100
	Pipestone	5,554	5,525	5,488	5,456	5,417	5,383	5,348	5,312	5,269	5,230
	RedwoodRenville	14,531	14,548	14,562	14,577	14,596	14,611	14,625	14,637	14,648	14,661
	Rock	4,368	4,358	4,347	4,335	4,323	4,309	4,295	4,280	4,263	4,246
	Yellow Medicine	5,044	5,085	5,140	5,202	5,267	5,336	5,406	5,478	5,551	5,626

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

6. Murray County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	3976	4772	4491	4653	4567
Onsite	420	378	369	362	356
Organics	46	46	50	53	55
Recycling	2401	5400	2696	2480	2639
WTE	0	0	0	0	0
Total MMSW	4396	5150	4860	5015	4923
Recycling+Organics	2447	5447	2745	2533	2694
Recycling Rate	35.8%	51.4%	36.1%	33.6%	35.4%
Total MSW	6843	10596	7605	7548	7617
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	790	867	651	576	760
Construction & Demo	472	978	1629	621	674
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	152	154	136	104	71
Hazardous	34	46	60	67	64
Metal	237	244	261	284	626
Organics	46	46	50	53	55
Other	405	3118	287	325	354
Paper	1454	1711	1837	1560	1317
Plastics	119	126	115	140	68
Total	2447	5447	2745	2533	2556
Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	1.46	0	0	5.14	6.54
electronic devices	4.12	5.11	4.68	8.46	0
major appliances and white goods	35.75	30.3	23.7	17.7	22.95
used oil	30.37	37.65	36.79	35.33	36.76
vehicle batteries	1.97	0	17	16.75	15.22
waste tires	152.32	161.37	40.07	84.6	132.1
Total	225.99	234.43	122.24	167.98	213.57

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

6. Murray County

County **Murray**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	2597.446549	2582.029	2566.282	2549.88	2532.822	2515.436	2497.721	2479.351	2460.324	2441.298
Organics	54.18770512	53.86606	53.53756	53.19538	52.83951	52.4768	52.10725	51.72401	51.32708	50.93015
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	4634	4634	4634	4634	4634	4634	4634	4634	4634	4634
Total Tons	7285.634254	7269.895	7253.82	7237.076	7219.662	7201.913	7183.829	7165.075	7145.652	7126.228
Total Population	7918	7871	7823	7773	7721	7668	7614	7558	7500	7442
Per Capita	0.920135672	0.92363	0.927243	0.931053	0.935068	0.939217	0.943503	0.948012	0.952754	0.957569

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	850	850	850	850	850	850	850	850	850	850

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	750	750	750	750	750	750	750	750	750	750
Construction & Demolition	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

6. Murray County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		2,797	2,782	2,766	2,750	2,733	2,715	2,698	2,679	2,660	2,641
Organics		254	254	254	253	253	252	252	252	251	251
Combined Recycling Rate		38%	38%	38%	38%	37%	37%	37%	37%	37%	37%
Waste-to-Energy (minus recyclables and nonprocessibles)		0	0	0	0	0	0	0	0	0	0
Landfill		4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634
Nobles County Landfill - SW-11		4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634
Capacity Used		4,878	4,878	4,878	4,878	4,878	4,878	4,878	4,878	4,878	4,878
On-site Disposal		357	357	357	357	357	357	357	357	357	357
Total MSW Generated		8,042	8,027	8,011	7,994	7,976	7,959	7,941	7,922	7,902	7,883
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		649	646	642	637	633	629	624	620	615	610
C/I/I		1,948	1,937	1,925	1,912	1,900	1,887	1,873	1,860	1,845	1,831
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		200	200	200	200	200	200	200	200	200	200
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		14	13	13	13	13	13	13	13	13	13
C/I/I		41	40	40	40	40	39	39	39	38	38
Previously Undocumented Residential		200	200	200	200	200	200	200	200	200	200
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	663	659	655	651	646	642	637	633	628	623
	C/I/I	1,989	1,977	1,965	1,952	1,939	1,926	1,912	1,898	1,884	1,869
Percentage	Residential	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%
	C/I/I	65%	65%	65%	65%	65%	65%	65%	65%	65%	65%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

7. Nobles County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	10052	10615	10687	10259	10983
Onsite	375	366	349	344	331
Organics	419	763	738	679	664
Recycling	5856	5751	6530	6251	7266
WTE	0	0	0	0	0
Total MMSW	10427	10981	11036	10603	11314
Recycling+Organics	6275	6514	7268	6929	7930
Recycling Rate	37.6%	37.2%	39.7%	39.5%	41.2%
Total MSW	16702	17495	18304	17532	19244
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	14028	12201	12819	10189	10378
Construction & Demo	2905	2625	5454	5430	5184
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	356	375	443	456	648
Hazardous	36	65	73	20	77
Metal	95	99	117	120	193
Organics	419	763	738	679	664
Other	961	896	926	952	1321
Paper	4203	4106	4721	4454	4589
Plastics	205	210	250	249	439
Total	6275	6514	7268	6929	7930

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0	0	0	0	0
electronic devices	10.5	8.2	7.3	12.3	10.2
major appliances and white goods	103	101	99	96	226
used oil	18.8	25	27	0	31.5
vehicle batteries	14.1	18.4	26.3	0	17.7
waste tires	30	54	68	63	68
Total	176.4	206.6	227.6	171.3	353.4

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

7. Nobles County

County **Nobles**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	7636.432981	7674.47	7711.183	7745.912	7778.988	7810.078	7839.185	7866.307	7891.775	7915.258
Organics	697.6109245	701.0857	704.4396	707.6122	710.6337	713.474	716.1329	718.6106	720.9371	723.0824
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	11542.4236	11599.92	11655.41	11707.9	11757.89	11804.89	11848.88	11889.88	11928.37	11963.87
Total Tons	19876.4675	19975.47	20071.03	20161.43	20247.52	20328.44	20404.2	20474.79	20541.08	20602.21
Total Population	23088	23203	23314	23419	23519	23613	23701	23783	23860	23931
Per Capita	0.86090036	0.8609	0.8609	0.8609	0.8609	0.8609	0.8609	0.8609	0.8609	0.8609

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	789	789	789	789	789	789	789	789	789	789

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	11000	11000	11000	11000	11000	11000	11000	11000	11000	11000
Construction & Demolition	5000	5000	5000	5000	5000	5000	5000	5000	5000	5000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

7. Nobles County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		7,636	7,674	7,711	7,746	7,779	7,810	7,839	7,866	7,892	7,915
Organics		698	701	704	708	711	713	716	719	721	723
Combined Recycling Rate		41%	41%	41%	41%	41%	41%	41%	41%	41%	41%
Waste-to-Energy (minus recyclables and nonprocessibles)		0	0	0	0	0	0	0	0	0	0
Landfill		11,542	11,600	11,655	11,708	11,758	11,805	11,849	11,890	11,928	11,964
Nobles County Landfill - SW-11		11,542	11,600	11,655	11,708	11,758	11,805	11,849	11,890	11,928	11,964
Capacity Used		12,150	12,210	12,269	12,324	12,377	12,426	12,473	12,516	12,556	12,594
On-site Disposal		331	331	331	331	331	331	331	331	331	331
Total MSW Generated		20,208	20,307	20,402	20,493	20,579	20,660	20,735	20,806	20,872	20,933
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		1,909	1,919	1,928	1,936	1,945	1,953	1,960	1,967	1,973	1,979
C/I/I		5,727	5,756	5,783	5,809	5,834	5,858	5,879	5,900	5,919	5,936
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		174	175	176	177	178	178	179	180	180	181
C/I/I		523	526	528	531	533	535	537	539	541	542
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	2,084	2,094	2,104	2,113	2,122	2,131	2,139	2,146	2,153	2,160
	C/I/I	6,251	6,282	6,312	6,340	6,367	6,393	6,416	6,439	6,460	6,479
Percentage	Residential	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
	C/I/I	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

7. Nobles County

MSW Land Disposal Facilities in County (in Tons)

Facility	County of Origin	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Nobles County Landfill - SW-11	Cottonwood	50	50	50	50	50	50	50	50	50	50
	Jackson	2500	2500	2500	2500	2500	2500	2500	2500	2500	2500
	Murray	4634	4634	4634	4634	4634	4634	4634	4634	4634	4634
	Nobles	11,542	11,600	11,655	11,708	11,758	11,805	11,849	11,890	11,928	11,964
	Pipestone	275	275	275	275	275	275	275	275	275	275
	RedwoodRenville	900	900	900	900	900	900	900	900	900	900

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

8. Pipestone County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	5855	5812	6272	6139	6100
Onsite	420	420	420	420	420
Organics	11	43	32	3	1138
Recycling	3516	3399	3163	8365	9524
WTE	0	0	0	0	0
Total MMSW	6275	6232	6692	6559	6520
Recycling+Organics	3527	3442	3195	8368	10662
Recycling Rate	36.0%	35.6%	32.3%	56.1%	62.1%
Total MSW	9802	9674	9886	14927	17182
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	4211	1394	239	263	196
Construction & Demo	2873	2054	2660	1174	1045
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	102	105	58	58	58
Hazardous	128	126	111	34	29
Metal	48	37	33	173	1231
Organics	11	43	32	3	1138
Other	2137	2121	1982	7414	7527
Paper	906	734	777	541	655
Plastics	196	275	201	145	24
Total	3527	3442	3195	8368	10662
Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0.3	0.3	0.3	2.12	2.1
electronic devices	43.64	34.29	23.08	0	0
major appliances and white goods	66.94	57.29	49.38	0	0
used oil	93.9	86	74	18	18
vehicle batteries	24	23	21	7	2.84
waste tires	6.78	15.9	8.86	13.53	126.92
Total	235.56	216.78	176.62	40.65	149.86

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

8. Pipestone County

County **Pipestone**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	9098.699841	9050.564	8999.289	8946.968	8892.553	8837.093	8779.539	8719.893	8658.153	8595.368
Organics	1087.586765	1081.833	1075.704	1069.45	1062.946	1056.316	1049.437	1042.307	1034.927	1027.422
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	5828.124459	5797.291	5764.447	5730.933	5696.078	5660.553	5623.688	5585.481	5545.935	5505.718
Total Tons	16014.41106	15929.69	15839.44	15747.35	15651.58	15553.96	15452.66	15347.68	15239.02	15128.51
Total Population	8695	8649	8600	8550	8498	8445	8390	8333	8274	8214
Per Capita	1.841795407	1.841795	1.841795	1.841795	1.841795	1.841795	1.841795	1.841795	1.841795	1.841795

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	250	250	250	250	250	250	250	250	250	250
Construction & Demolition	2000	2000	2000	2000	2000	2000	2000	2000	2000	2000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

8. Pipestone County

Solid Waste		Year									
Mangement Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		9,099	9,051	8,999	8,947	8,893	8,837	8,780	8,720	8,658	8,595
Organics		1,088	1,082	1,076	1,069	1,063	1,056	1,049	1,042	1,035	1,027
Combined Recycling Rate		62%	62%	62%	62%	62%	62%	62%	62%	62%	62%
Waste-to-Energy (minus recyclables and nonprocessibles)		0	0	0	0	0	0	0	0	0	0
Landfill		5,828	5,797	5,764	5,731	5,696	5,661	5,624	5,585	5,546	5,506
Nobles County Landfill - SW-11		274	272	277	275	273	277	276	274	277	275
Lyon County Regional Landfill - SW-23		5,554	5,525	5,488	5,456	5,417	5,383	5,348	5,312	5,269	5,230
Capacity Used		6,135	6,102	6,068	6,033	5,990	5,958	5,920	5,879	5,838	5,795
On-site Disposal		420	420	420	420	420	420	420	420	420	420
Total MSW Generated		16,434	16,349	16,259	16,167	16,071	15,974	15,872	15,767	15,659	15,548
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		2,275	2,263	2,250	2,237	2,223	2,209	2,195	2,180	2,165	2,149
C/I/I		6,824	6,788	6,749	6,710	6,669	6,628	6,585	6,540	6,494	6,447
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		272	270	269	267	266	264	262	261	259	257
C/I/I		816	811	807	802	797	792	787	782	776	771
Previously Undocumented Residential		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	2,547	2,533	2,519	2,504	2,489	2,473	2,457	2,441	2,423	2,406
	C/I/I	7,640	7,599	7,556	7,512	7,467	7,420	7,372	7,322	7,270	7,217
Percentage	Residential	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
	C/I/I	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

9. RRRSWA

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	14337	14392	15040	15687	14446
Onsite	1427	1389	1389	1455	1338
Organics	664	770	1424	900	1077
Recycling	11396	14038	13469	12292	13156
WTE	0	0	0	0	1
Total MMSW	15764	15781	16429	17142	15785
Recycling+Organics	12060	14808	14894	13192	14232
Recycling Rate	43.3%	48.4%	47.5%	43.5%	47.4%
Total MSW	27824	30588	31323	30334	30017
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	192100	161716	8272	12389	32340
Construction & Demo	5497	6147	6367	7510	5943
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	662	1609	1363	1223	1033
Hazardous	522	684	703	707	694
Metal	1155	1180	1224	1200	2446
Organics	664	770	1424	900	1077
Other	4011	3910	3898	3169	3798
Paper	4580	5653	5200	4572	4488
Plastics	466	570	377	752	29
Total	12060	14376	14190	12523	13566

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	28.65	29.31	30	30	30
electronic devices	269.43	329.41	307.02	286.13	274.2
major appliances and white goods	180.06	188.12	196.92	183.28	211.6
used oil	152.73	190.13	190.13	190.13	191
vehicle batteries	292.32	375.46	382.15	382.15	383
waste tires	386.91	883.24	822.7	865.1	869.4
Total	1310.1	1995.67	1928.92	1936.79	1959.2

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

9. RRRSWA

County **RedwoodRenville**

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	12693.62355	12626.31	12555.45	12483.7	12408.41	12330.47	12249.42	12166.6	12081.57	11993
Organics	1038.866034	1033.357	1027.557	1021.686	1015.524	1009.145	1002.512	995.734	988.7749	981.5258
WTE	50	50	50	50	50	50	50	50	50	50
Landfill	18000	18090	18180.45	18271.35	18362.71	18454.52	18546.8	18639.53	18732.73	18826.39
Total Tons	31782.48958	31799.66	31813.45	31826.74	31836.65	31844.14	31848.73	31851.87	31853.07	31850.91
Total Population	28662	28510	28350	28188	28018	27842	27659	27472	27280	27080
Per Capita	1.108872011	1.115386	1.122168	1.129088	1.136293	1.143745	1.151478	1.15943	1.167635	1.176179

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	366	365	364	363	362	361	360	359	358	357

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	15000	15000	15000	15000	15000	15000	15000	15000	15000	15000
Construction & Demolition	6000	6000	6000	6000	6000	6000	6000	6000	6000	6000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

9. RRRSWA

Solid Waste		Year									
Management Method		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling		12,693	12,693	12,693	12,693	12,693	12,693	12,693	12,693	12,693	12,693
Organics		1,039	1,039	1,039	1,039	1,039	1,039	1,039	1,039	1,039	1,039
Combined Recycling Rate		43%	43%	43%	43%	43%	43%	43%	43%	43%	43%
Waste-to-Energy (minus recyclables and nonprocessibles)		50	50	50	50	50	50	50	50	50	50
Prairieland Solid Waste Management		50	50	50	50	50	50	50	50	50	50
Landfill		18,000	18,018	18,031	18,045	18,055	18,062	18,067	18,070	18,071	18,069
Nobles County Landfill - SW-11		3,060	3,063	3,065	3,068	3,069	3,071	3,071	3,072	3,072	3,072
Lyon County Regional Landfill - SW-23		14,940	14,955	14,966	14,977	14,985	14,992	14,995	14,998	14,999	14,997
Capacity Used		18,948	18,966	18,980	18,994	19,005	19,013	19,018	19,021	19,022	19,020
On-site Disposal		154	153	153	152	152	152	151	151	150	150
Total MSW Generated		31,936	31,953	31,966	31,979	31,989	31,996	32,000	32,003	32,003	32,001
Recycling by sector (excluding WTE)		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		3,173	3,173	3,173	3,173	3,173	3,173	3,173	3,173	3,173	3,173
C/I/I		9,520	9,520	9,520	9,520	9,520	9,520	9,520	9,520	9,520	9,520
Previously Undocumented		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Organics by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential		260	260	260	260	260	260	260	260	260	260
C/I/I		779	779	779	779	779	779	779	779	779	779
Previously Undocumented		0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	3,433	3,433	3,433	3,433	3,433	3,433	3,433	3,433	3,433	3,433
	C/I/I	10,299	10,299	10,299	10,299	10,299	10,299	10,299	10,299	10,299	10,299
Percentage	Residential	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
	C/I/I	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

9. RRRSWA

Landfilling

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

		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Nobles County Landfill - SW-11	% of MMSW managed at facility	17%	17%	17%	17%	17%	17%	17%	17%	17%	17%
	Compaction Rate	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
Lyon County Regional Landfill SW-23	% of MMSW managed at facility	83%	83%	83%	83%	83%	83%	83%	83%	83%	83%
	Compaction Rate	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
	% of MMSW managed at facility										
	Compaction Rate										
	% of MMSW managed at facility										
	Compaction Rate										
	% of MMSW managed at facility										
	Compaction Rate										

Waste-to-Energy

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

		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Prairieland Solid Waste Management	Tons of MMSW Managed at Facility	50	50	50	50	50	50	50	50	50	50
	Tons of Recycling removed	0	0	0	0	0	0	0	0	0	0
	Tons of Non- processibles	0	0	0	0	0	0	0	0	0	0
	Tons of MMSW Managed at Facility										
	Tons of Recycling removed										
	Tons of Non- processibles										
	Tons of MMSW Managed at Facility										
	Tons of Recycling removed										
	Tons of Non- processibles										

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

11. Rock County

Previous 5 Years Data					
Management Method - Tons	2020	2021	2022	2023	2024
Landfill	4190	4164	4531	4396	4482
Onsite	315	315	315	315	273
Organics	0	14	14	0	212
Recycling	1983	1832	1988	1974	2070
WTE	0	0	0	0	0
Total MMSW	4505	4479	4846	4711	4755
Recycling+Organics	1983	1847	2002	1974	2281
Recycling Rate	30.6%	29.2%	29.2%	29.5%	32.4%
Total MSW	6488	6326	6848	6685	7036
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	794	1058	349	0	197
Construction & Demo	2214	3566	3437	2912	1843
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	111	93	107	88	88
Hazardous	0	21	21	8	7
Metal	653	689	705	693	748
Organics	0	14	14	0	212
Other	440	420	448	465	501
Paper	746	582	675	690	605
Plastics	32	28	32	30	34
Total	1983	1847	2002	1974	2196

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0	0	0	0	0.18
electronic devices	19.9	13.78	10.97	15.05	10.51
major appliances and white goods	29.56	11.2	10.03	11.56	12.68
used oil	0	0	0	0	3.85
vehicle batteries	0	0	0	0	0
waste tires	382.5	382.47	411.57	425.35	449.04
Total	431.96	407.45	432.57	451.96	476.26

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

11. Rock County

County	Rock									
MSW Forecast										
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	2016.79235	2012.23	2007.234	2001.803	1996.155	1989.855	1983.121	1976.17	1968.567	1960.746
Organics	206.358753	205.892	205.3807	204.8251	204.2472	203.6026	202.9135	202.2022	201.4243	200.6241
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	4367.797006	4357.917	4347.097	4335.335	4323.103	4309.459	4294.875	4279.82	4263.354	4246.417
Total Tons	6590.94811	6576.04	6559.711	6541.963	6523.505	6502.917	6480.91	6458.192	6433.345	6407.787
Total Population	9284	9263	9240	9215	9189	9160	9129	9097	9062	9026
Per Capita	0.709925475	0.709925	0.709925	0.709925	0.709925	0.709925	0.709925	0.709925	0.709925	0.709925

Enter the percent of MSW by Sector - this must add to 100%

Residential	25%
C/I/I	75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	650	650	650	650	650	650	650	650	650	650

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	500	500	500	500	500	500	500	500	500	500
Construction & Demolition	2500	2500	2500	2500	2500	2500	2500	2500	2500	2500

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

11. Rock County

Solid Waste		Year								
Mangement Method	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	2,217	2,212	2,207	2,202	2,196	2,190	2,183	2,176	2,169	2,161
Organics	306	306	305	305	304	304	303	302	301	301
Combined Recycling Rate	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%
Waste-to-Energy (minus recyclables and nonprocessibles)	0	0	0	0	0	0	0	0	0	0
Landfill	4,368	4,358	4,347	4,335	4,323	4,309	4,295	4,280	4,263	4,246
Lyon County Regional Landfill - SW-23	4,368	4,358	4,347	4,335	4,323	4,309	4,295	4,280	4,263	4,246
Capacity Used	4,598	4,587	4,576	4,564	4,551	4,536	4,521	4,505	4,488	4,470
On-site Disposal	273	273	273	273	273	273	273	273	273	273
Total MSW Generated	7,164	7,149	7,133	7,115	7,096	7,076	7,054	7,031	7,006	6,981
Recycling by sector (excluding WTE)	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential	504	503	502	500	499	497	496	494	492	490
C/I/I	1,513	1,509	1,505	1,501	1,497	1,492	1,487	1,482	1,476	1,471
Previously Undocumented Residential	0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I	200	200	200	200	200	200	200	200	200	200
Organics by sector	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential	52	51	51	51	51	51	51	51	50	50
C/I/I	155	154	154	154	153	153	152	152	151	150
Previously Undocumented Residential	100	100	100	100	100	100	100	100	100	100
Previously Undocumented C/I/I	0	0	0	0	0	0	0	0	0	0
Combined Recycling by sector	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	556	555	553	552	550	548	547	545	540
	C/I/I	1,667	1,664	1,659	1,655	1,650	1,645	1,640	1,634	1,621
Percentage	Residential	22%	22%	22%	22%	22%	22%	22%	22%	22%
	C/I/I	66%	66%	66%	66%	66%	66%	66%	66%	66%

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

12. Yellow Medicine County

Previous 5 Years Data					
Management Method - Tons					
	2020	2021	2022	2023	2024
Landfill	3585	4725	4719	5219	4858
Onsite	302	294	294	290	298
Organics	1	0	126	170	0
Recycling	1748	3140	2261	2659	3954
WTE	0	0	0	0	0
Total MMSW	3887	5019	5013	5509	5156
Recycling+Organics	1749	3140	2386	2829	3954
Recycling Rate	31.0%	38.5%	32.3%	33.9%	43.4%
Total MSW	5636	8159	7399	8338	9110
Non-MSW					
	2020	2021	2022	2023	2024
Industrial	693	1156	46	2162	526
Construction & Demo	1104	688	759	1619	1112
Tons Recycled By Material Category					
	2020	2021	2022	2023	2024
Glass	197	601	126	115	134
Hazardous	0	4	36	0	0
Metal	149	126	1255	1977	2855
Organics	1	0	126	170	0
Other	0	2	2	0	0
Paper	1305	2246	743	479	869
Plastics	98	158	100	88	97
Total	1749	3138	2386	2829	3954

Problem Materials					
	2020	2021	2022	2023	2024
antifreeze	0	0	0	0	0
electronic devices	0	0	0	0	0
major appliances and white goods	0	0	0	0	0
used oil	0	0	0	0	0
vehicle batteries	0	0	0	0	0
waste tires	0	0	0	0	0
Total	0	0	0	0	0

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

12. Yellow Medicine County

County

Yellow Medicine

MSW Forecast

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Recycling	3360.166406	2833.423	2841.517	2846.744	2849.104	2848.598	2845.226	2837.555	2828.45	2816.479
Organics	0.067276001	59.66733	49.93236	52.16312	54.43247	56.74041	59.08695	61.49138	63.91511	66.37743
WTE	0	0	0	0	0	0	0	0	0	0
Landfill	6952.000624	6993.493	7048.094	7109.663	7175.351	7243.702	7313.971	7386.348	7459.498	7533.892
Total Tons	10312.23431	9886.584	9939.543	10008.57	10078.89	10149.04	10218.28	10285.39	10351.86	10416.75
Total Population	8984	8879	8771	8661	8549	8435	8319	8200	8080	7958
Per Capita	1.147844424	1.113479	1.133228	1.15559	1.178955	1.203206	1.228307	1.254316	1.281171	1.308966

Enter the percent of MSW by Sector - this must add to 100%

Residential

25%

C/I/I

75%

Onsite Disposal - Estimate of people underserved by garbage collection/drop-sites for use in calculating on-site disposal

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Number of People underserved	710	710	710	710	710	710	710	710	710	710

Non-MMSW/Industrial Waste Projections (in Tons)

Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Industrial	500	500	500	500	500	500	500	500	500	500
Construction & Demolition	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

12. Yellow Medicine County

Solid Waste	Year									
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Mangement Method										
Recycling	3,560	3,033	3,042	3,047	3,049	3,149	3,245	3,238	3,228	3,216
Organics	850	910	900	902	904	907	909	911	914	916
Combined Recycling Rate	38%	35%	35%	35%	35%	35%	35%	35%	35%	35%
Waste-to-Energy (minus recyclables and nonprocessibles)	0	0	0	0	0	0	0	0	0	0
Landfill	6,952	6,993	7,048	7,110	7,175	7,244	7,314	7,386	7,459	7,534
Lyon County Regional Landfill - SW-23	5,047	5,084	5,138	5,204	5,267	5,339	5,405	5,481	5,550	5,628
Nobles County Landfill - SW-11	1,905	1,909	1,910	1,905	1,909	1,905	1,909	1,906	1,910	1,906
Capacity Used	7,318	7,362	7,419	7,484	7,553	7,625	7,699	7,775	7,852	7,930
On-site Disposal	298	298	298	298	298	298	298	298	298	298
Total MSW Generated	11,660	11,235	11,288	11,357	11,427	11,597	11,766	11,833	11,900	11,965

Recycling by sector (excluding WTE)	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential	840	708	710	712	712	712	711	709	707	704
C/I/I	2,520	2,125	2,131	2,135	2,137	2,136	2,134	2,128	2,121	2,112
Previously Undocumented Residential	0	0	0	0	0	0	0	0	0	0
Previously Undocumented C/I/I	200	200	200	200	200	300	400	400	400	400

Organics by sector	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Residential	0	15	12	13	14	14	15	15	16	17
C/I/I	0	45	37	39	41	43	44	46	48	50
Previously Undocumented Residential	850	850	850	850	850	850	850	850	850	850
Previously Undocumented C/I/I	0	0	0	0	0	0	0	0	0	0

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

12. Yellow Medicine County

Combined Recycling by sector		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Tons	Residential	840	723	723	725	726	726	726	725	723	721
	C/I/I	2,520	2,170	2,169	2,174	2,178	2,179	2,178	2,174	2,169	2,162
Percentage	Residential	19%	18%	18%	18%	18%	18%	17%	17%	17%	17%
	C/I/I	57%	55%	55%	55%	55%	54%	52%	52%	52%	52%

Landfilling

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

		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Lyon County Regional Landfill - SW-23	% of MMSW managed at facility	73%	73%	73%	73%	73%	74%	74%	74%	74%	75%
	Compaction Rate	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
Nobles County Landfill - SW-11	% of MMSW managed at facility	27%	27%	27%	27%	27%	26%	26%	26%	26%	25%
	Compaction Rate	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
	% of MMSW managed at facility										
	Compaction Rate										
	% of MMSW managed at facility										
	Compaction Rate										
	% of MMSW managed at facility										
	Compaction Rate										

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

13. Regional Goal Volume Table

Solid Waste		Year									
Mangement Method	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	
Recycling	61,750	61,216	61,166	61,106	61,136	61,258	61,468	61,366	61,257	61,139	
Organics	7,499	7,550	7,532	7,525	7,516	7,506	7,497	7,485	7,472	7,458	
Combined Recycling Rate	42%	41%	41%	41%	41%	41%	41%	41%	41%	41%	
Waste-to-Energy (minus recyclables and nonprocessibles)	53	53	53	53	53	53	53	53	53	53	
Landfill	92,498	92,691	92,888	93,086	93,279	93,465	93,644	93,817	93,983	94,140	
Cottonwood County Landfill - SW-143	10,440	10,545	10,651	10,758	10,865	10,973	0	0	0	0	
Nobles County Landfill - SW-11	23,915	23,977	24,042	24,088	24,142	24,192	34,228	34,364	34,510	34,644	
Lyon County Regional Landfill - SW-23	54,917	54,962	55,017	55,081	55,135	55,193	55,240	55,291	55,331	55,374	
Other facility	1,474	1,453	1,427	1,406	1,380	1,354	2,420	2,403	2,385	2,363	
Capacity Used	95,234	95,436	95,643	95,849	96,046	96,247	96,433	96,614	96,788	96,953	
On-site Disposal	4,559	4,520	4,482	4,445	4,408	4,372	4,336	4,301	4,267	4,234	
Total MSW Generated	166,359	166,031	166,121	166,214	166,392	166,654	166,998	167,022	167,032	167,025	

2026 Southwest Regional Solid Waste Plan

Appendix A. Numeric Goal/Volume Tables

13. Regional Goal Volume Table

Recycling by sector (excluding WTE)											
Residential		14,478	14,344	14,331	14,315	14,297	14,277	14,254	14,228	14,200	14,170
	C/I/I	43,792	43,390	43,351	43,304	43,251	43,190	43,121	43,043	42,960	42,869
Previously Undocumented Residential		80	82	84	86	88	91	93	95	97	100
Previously Undocumented C/I/I		3,400	3,400	3,400	3,400	3,500	3,700	4,000	4,000	4,000	4,000

Organics by sector											
Residential		1,462	1,475	1,470	1,469	1,466	1,464	1,462	1,459	1,455	1,452
	C/I/I	4,387	4,425	4,411	4,406	4,400	4,392	4,385	4,376	4,367	4,356
Previously Undocumented Residential		1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650
Previously Undocumented C/I/I		0	0	0	0	0	0	0	0	0	0

Combined Recycling by sector											
Tons	Residential	15,940	15,819	15,801	15,784	15,764	15,741	15,716	15,687	15,656	15,622
	C/I/I	48,178	47,816	47,762	47,711	47,650	47,582	47,506	47,420	47,327	47,225
Percentage	Residential	23%	23%	23%	23%	23%	23%	23%	23%	23%	23%
	C/I/I	70%	70%	70%	70%	69%	69%	69%	69%	69%	69%

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

1. Cottonwood County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,753	\$86,753	\$86,753	\$86,753	\$86,753	\$433,765
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$98,125	\$98,223	\$98,321	\$98,420	\$98,518	\$491,607
Solid Waste Assessment (recycling / HHW)	\$257,494	\$257,494	\$257,494	\$257,494	\$257,494	\$1,287,470
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify) recycle grant	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$442,372	\$442,470	\$442,568	\$442,667	\$442,765	\$2,212,842
WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$7,500	\$7,650	\$7,880	\$7,958	\$8,038	\$39,026
SW Prevention:Recycling Contracts	\$199,000	\$202,980	\$209,069	\$211,160	\$213,272	\$1,035,481
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$140,000	\$140,700	\$141,404	\$142,111	\$142,821	\$707,035
SW Prevention:HHW facility total cost of operation	\$3,250	\$3,266	\$3,283	\$3,299	\$3,315	\$16,413
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$ 89,674	\$91,467	\$94,212	\$95,154	\$96,105	\$466,612
Diversion Total Expenditures	\$439,424	\$446,064	\$455,846	\$459,682	\$463,551	\$2,264,567
Diversion Net Budget	\$2,948	(\$3,594)	(\$13,278)	(\$17,015)	(\$20,786)	(\$51,725)
Diversion Fund Balance	\$45,000	\$41,406	\$28,128	\$11,113	(\$9,673)	\$115,975

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$796,565	\$797,362	\$798,159	\$798,957	\$799,756	\$3,990,799
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$671,877	\$673,221	\$674,567	\$675,916	\$677,268	\$3,372,849
Expenditures: Capital Improvement & Infrastructure	\$87,000	\$87,000	\$87,000	\$87,000	\$87,522	\$435,522
Solid Waste Net Budget	\$37,688	\$37,141	\$36,592	\$36,041	\$34,966	\$182,427
Solid Waste Fund Balance (for FA, Cap Invest)	\$2,038,043	\$2,075,184	\$2,111,776	\$2,147,816	\$2,182,782	\$10,555,602

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

1. Cottonwood County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,753	\$86,753	\$86,753	\$86,753	\$86,753	\$433,765	\$867,530
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$98,617	\$98,715	\$98,814	\$98,913	\$99,012	\$494,070	\$985,677
Solid Waste Assessment (recycling / HHW)	\$257,494	\$257,494	\$257,494	\$257,494	\$257,494	\$1,287,470	\$2,574,940
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify) recycle grant	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$442,864	\$442,962	\$443,061	\$443,160	\$443,259	\$2,215,305	\$4,428,147
WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$8,118	\$8,199	\$8,281	\$8,364	\$8,448	\$41,411	\$80,437
SW Prevention:Recycling Contracts	\$215,404	\$217,558	\$219,734	\$221,931	\$224,151	\$1,098,779	\$2,134,260
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$143,535	\$144,253	\$144,974	\$145,699	\$146,427	\$724,888	\$1,431,924
SW Prevention:HHW facility total cost of operation	\$3,332	\$3,345	\$3,365	\$3,382	\$3,399	\$16,828	\$33,241
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$97,066	\$98,037	\$99,017	\$100,007	\$101,007	\$495,135	\$961,747
Diversion Total Expenditures	\$467,456	\$471,396	\$475,372	\$479,384	\$483,433	\$2,377,042	\$4,641,609
Diversion Net Budget	(\$24,593)	(\$28,434)	(\$32,311)	(\$36,225)	(\$40,174)	(\$161,737)	(\$213,461)
Diversion Fund Balance	(\$34,265)	(\$62,699)	(\$95,011)	(\$131,235)	(\$171,409)	(\$494,620)	(\$378,645)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$800,556	\$801,356	\$802,156	\$802,960	\$803,763	\$4,010,793	\$8,001,591
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$678,623	\$679,980	\$681,340	\$682,703	\$684,068	\$3,406,713	\$6,779,563
Expenditures: Capital Improvement & Infrastructure	\$87,522	\$87,522	\$87,522	\$87,522	\$87,522	\$437,610	\$873,132
Solid Waste Net Budget	\$34,411	\$33,854	\$33,296	\$32,735	\$32,173	\$166,465	\$348,897
Solid Waste Fund Balance (for FA, Cap invest)	\$2,217,193	\$2,251,048	\$2,284,344	\$2,317,079	\$2,349,252	\$11,418,916	\$21,974,517

SUMMARIES

Projected Tons of Diversion (from GVT)	1,702	1,705	1,707	1,710	1,712		
Projected Tons of MSW disposed (from GVT)	3,163	3,159	3,155	3,151	3,147		
Estimated Number of Households	4,211	4,127	4,045	3,964	3,884		
Annual Cost per Household (Waste Diversion & Recycling)	(\$5.84)	(\$6.89)	(\$7.99)	(\$9.14)	(\$10.34)		
Annual Cost per Household (MSW Transfer / Disposal)	\$8.17	\$8.20	\$8.23	\$8.26	\$8.28		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$14.45)	(\$16.68)	(\$18.93)	(\$21.19)	(\$23.46)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$10.88	\$10.72	\$10.55	\$10.39	\$10.22		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

2. Jackson County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$500	\$500	\$500	\$500	\$500	\$2,500
Customer Service Fees / Charge for Services (Bulbs/Ewaste)	\$7,500	\$7,508	\$7,515	\$7,523	\$7,530	\$37,575
Solid Waste Assessment (Recycling)	\$211,178	\$211,178	\$211,178	\$211,178	\$211,178	\$1,055,890
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify) Balance remaining of SCORE Funds	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$291,618	\$291,626	\$291,633	\$291,641	\$291,648	\$1,458,169

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education - Advertising)	\$5,500	\$5,610	\$5,778	\$5,836	\$5,894	\$28,619
SW Prevention:Recycling Contracts	\$211,178	\$215,402	\$221,864	\$224,082	\$226,323	\$1,098,849
SW Prevention:Problem Material Mgmt. (This and next is about 22,000)	\$11,000	\$11,059	\$11,110	\$11,166	\$11,222	\$55,553
SW Prevention:HHW facility total cost of operation	\$11,000	\$11,059	\$11,110	\$11,166	\$11,222	\$55,553
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$60,185	\$61,389	\$63,230	\$63,863	\$64,501	\$313,168
Diversion Total Expenditures	\$298,863	\$304,510	\$313,093	\$316,113	\$319,162	\$1,551,741

Diversion Net Budget	(\$7,245)	(\$12,885)	(\$21,460)	(\$24,472)	(\$27,514)	(\$93,576)
Diversion Fund Balance	\$100,316	\$87,431	\$65,971	\$41,499	\$13,985	\$309,203

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	5,555	5,499	5,508	5,516	5,524	
Projected Tons of MSW disposed (from GVT)	2,222	2,225	2,229	2,232	2,235	
Estimated Number of Households	4,444	4,355	4,268	4,183	4,099	
Annual Cost per Household (Waste Diversion & Recycling)	(\$1.63)	(\$2.96)	(\$5.03)	(\$5.85)	(\$6.71)	
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Annual Cost per Ton (Waste Diversion & Recycling)	(\$1.30)	(\$2.34)	(\$3.90)	(\$4.44)	(\$4.98)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

2. Jackson County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200	\$724,400
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$500	\$500	\$500	\$500	\$500	\$2,500	\$5,000
Customer Service Fees / Charge for Services (Bulbs/Ewaste)	\$7,538	\$7,549	\$7,559	\$7,560	\$7,568	\$37,763	\$75,338
Solid Waste Assessment (Recycling)	\$211,178	\$211,178	\$211,178	\$211,178	\$211,178	\$1,055,890	\$2,111,780
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify) Balance remaining of SCORE Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$291,656	\$291,663	\$291,671	\$291,678	\$291,686	\$1,458,353	\$2,916,518

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education - Advertising)	\$5,953	\$6,013	\$6,073	\$6,134	\$6,195	\$30,368	\$58,987
SW Prevention:Recycling Contracts	\$228,586	\$230,872	\$233,181	\$235,513	\$237,868	\$1,166,020	\$2,264,868
SW Prevention:Problem Material Mgmt. (This and next is about 22,000)	\$11,278	\$11,334	\$11,391	\$11,448	\$11,509	\$56,956	\$112,508
SW Prevention:HHW facility total cost of operation	\$11,278	\$11,334	\$11,391	\$11,448	\$11,509	\$56,956	\$112,508
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$65,146	\$65,798	\$66,456	\$67,120	\$67,792	\$332,312	\$645,480
Diversion Total Expenditures	\$322,242	\$325,351	\$328,491	\$331,662	\$334,864	\$1,642,611	\$3,194,352

Diversion Net Budget	(\$30,586)	(\$33,688)	(\$36,821)	(\$39,984)	(\$43,179)	(\$184,257)	(\$277,833)
Diversion Fund Balance	(\$16,601)	(\$50,289)	(\$87,109)	(\$127,094)	(\$170,272)	(\$451,365)	(\$142,161)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	5,533	5,541	5,549	5,557	5,566		
Projected Tons of MSW disposed (from GVT)	2,239	2,242	2,245	2,249	2,252		
Estimated Number of Households	4,017	3,937	3,858	3,781	3,705		
Annual Cost per Household (Waste Diversion & Recycling)	(\$7.61)	(\$8.56)	(\$9.54)	(\$10.58)	(\$11.65)		
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$5.53)	(\$6.08)	(\$6.64)	(\$7.19)	(\$7.76)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

3. Lac qui Parle County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,000	\$86,000	\$86,000	\$86,000	\$86,000	\$430,000
Household Hazardous Waste Fees/Stipend	\$2,400	\$2,402	\$2,405	\$2,407	\$2,410	\$12,024
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$7,750	\$7,797	\$7,843	\$7,890	\$7,938	\$39,218
Solid Waste Assessment (recycling / HHW)	\$125,898	\$125,772	\$125,646	\$125,521	\$125,395	\$628,232
Landfill Rebate or similar Revenue for solid waste diversion	\$18,545	\$18,619	\$18,694	\$18,768	\$18,844	\$93,470
Other (please specify)	\$0	\$2,400	\$2,400	\$2,400	\$2,400	\$9,600
Diversion Programs Revenue	\$240,593	\$242,990	\$242,988	\$242,987	\$242,986	\$1,212,544

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$6,059	\$6,180	\$6,366	\$6,429	\$6,494	\$31,528
SW Prevention:Recycling Contracts	\$102,612	\$104,664	\$107,804	\$108,882	\$109,971	\$533,934
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$26,553	\$26,686	\$26,819	\$26,953	\$27,088	\$134,099
SW Prevention:HHW facility total cost of operation	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$38,917	\$39,695	\$40,886	\$41,295	\$41,708	\$202,502
Diversion Total Expenditures	\$174,141	\$177,226	\$181,875	\$183,560	\$185,261	\$902,062

Diversion Net Budget	\$66,452	\$65,765	\$61,113	\$59,427	\$57,725	\$310,482
Diversion Fund Balance	\$100,000	\$165,765	\$226,878	\$286,304	\$344,030	\$1,122,976

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$63,204	\$63,330	\$63,457	\$63,584	\$63,711	\$317,287
Expenditures: Capital Improvement & Infrastructure	\$1,235	\$1,235	\$1,235	\$1,235	\$1,242	\$6,182
Solid Waste Net Budget	(\$64,439)	(\$64,565)	(\$64,692)	(\$64,819)	(\$64,954)	(\$323,469)
Solid Waste Fund Balance (for FA, Cap Invest)	\$100,000	\$35,435	(\$29,257)	(\$94,076)	(\$159,030)	(\$146,929)

SUMMARIES

Projected Tons of Diversion (from GVT)	1	1	1	1	1	
Projected Tons of MSW disposed (from GVT)	4,146	4,127	4,108	4,090	4,071	
Estimated Number of Households	1	1	1	1	1	
Annual Cost per Household (Waste Diversion & Recycling)	\$66,452.00	\$67,106.79	\$63,632.78	\$63,140.00	\$62,583.83	
Annual Cost per Household (MSW Transfer / Disposal)	(\$64,439.00)	(\$65,883.07)	(\$67,359.51)	(\$68,869.03)	(\$70,420.43)	
Annual Cost per Ton (Waste Diversion & Recycling)	\$66,452.00	\$66,428.95	\$61,637.77	\$59,847.45	\$58,046.83	
Annual Cost per Ton (MSW Transfer / Disposal)	(\$15.54)	(\$15.64)	(\$15.75)	(\$15.85)	(\$15.96)	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

3. Lac qui Parle County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,000	\$86,000	\$86,000	\$86,000	\$86,000	\$430,000	\$860,000
Household Hazardous Waste Fees/Stipend	\$2,412	\$2,414	\$2,417	\$2,419	\$2,422	\$12,084	\$24,108
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$7,985	\$8,033	\$8,081	\$8,130	\$8,179	\$40,409	\$79,626
Solid Waste Assessment (recycling / HHW)	\$125,270	\$125,144	\$125,019	\$124,894	\$124,769	\$625,097	\$1,253,330
Landfill Rebate or similar Revenue for solid waste diversion	\$18,919	\$18,995	\$19,071	\$19,147	\$19,223	\$95,354	\$188,824
Other (please specify)	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$12,000	\$21,600
Diversion Programs Revenue	\$242,986	\$242,987	\$242,988	\$242,990	\$242,993	\$1,214,944	\$2,427,488

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$6,558	\$6,624	\$6,690	\$6,757	\$6,825	\$33,459	\$64,982
SW Prevention:Recycling Contracts	\$111,071	\$112,181	\$113,303	\$114,436	\$115,581	\$566,572	\$1,100,506
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$27,223	\$27,360	\$27,496	\$27,634	\$27,772	\$137,489	\$271,589
SW Prevention:HHW facility total cost of operation	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$42,125	\$42,546	\$42,972	\$43,402	\$43,836	\$214,880	\$417,382
Diversion Total Expenditures	\$186,978	\$188,711	\$190,462	\$192,229	\$194,013	\$952,399	\$1,854,459

Diversion Net Budget	\$56,008	\$54,275	\$52,526	\$50,761	\$48,980	\$262,551	\$573,033
Diversion Fund Balance	\$400,038	\$454,313	\$506,840	\$557,601	\$606,581	\$2,525,373	\$3,648,349

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$63,835	\$63,966	\$64,094	\$64,222	\$64,351	\$320,472	\$637,759
Expenditures: Capital Improvement & Infrastructure	\$1,242	\$1,242	\$1,242	\$1,242	\$1,242	\$6,212	\$12,394
Solid Waste Net Budget	(\$65,081)	(\$65,209)	(\$65,337)	(\$65,465)	(\$65,593)	(\$326,684)	(\$650,153)
Solid Waste Fund Balance (for FA, Cap Invest)	(\$224,111)	(\$289,320)	(\$354,656)	(\$420,121)	(\$485,714)	(\$1,773,922)	(\$1,920,852)

SUMMARIES							
Projected Tons of Diversion (from GVT)							
Projected Tons of MSW disposed (from GVT)	4,053	4,034	4,016	3,997	3,979		
Estimated Number of Households							
Annual Cost per Household (Waste Diversion & Recycling)	\$61,961.38	\$61,269.64	\$60,505.51	\$59,665.75	\$58,747.00		
Annual Cost per Household (MSW Transfer / Disposal)	(\$71,998.55)	(\$73,612.04)	(\$75,261.69)	(\$76,948.32)	(\$78,672.75)		
Annual Cost per Ton (Waste Diversion & Recycling)	\$56,235.74	\$54,414.15	\$52,581.93	\$50,738.99	\$48,885.22		
Annual Cost per Ton (MSW Transfer / Disposal)	(\$16.06)	(\$16.16)	(\$16.27)	(\$16.38)	(\$16.48)		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

4. Lincoln County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,753	\$86,753	\$86,753	\$86,753	\$86,753	\$433,765
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$70,000	\$70,070	\$70,140	\$70,210	\$70,280	\$350,700
Solid Waste Assessment (recycling / HHW)	\$300,685	\$300,685	\$300,685	\$300,685	\$300,685	\$1,503,425
Landfill Rebate or similar Revenue for solid waste diversion	\$16,000	\$16,016	\$16,032	\$16,048	\$16,064	\$80,160
Other (please specify) recycle grant	\$13,233	\$13,500	\$13,500	\$13,500	\$13,500	\$67,233
Diversion Programs Revenue	\$486,671	\$487,024	\$487,110	\$487,196	\$487,283	\$2,435,284

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$1,450	\$1,479	\$1,523	\$1,539	\$1,554	\$7,545
SW Prevention:Recycling Contracts	\$196,000	\$199,920	\$205,918	\$207,977	\$210,057	\$1,019,871
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$140,000	\$140,700	\$141,404	\$142,111	\$142,821	\$707,035
SW Prevention:HHW facility total cost of operation	\$20,221	\$20,322	\$20,424	\$20,526	\$20,628	\$102,121
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$ 129,000	\$131,580	\$135,527	\$136,883	\$138,252	\$671,242
Diversion Total Expenditures	\$486,671	\$494,001	\$504,796	\$509,034	\$513,312	\$2,507,814

Diversion Net Budget	\$0	(\$6,977)	(\$17,685)	(\$21,838)	(\$26,029)	(\$72,530)
Diversion Fund Balance	\$45,000	\$38,023	\$20,337	(\$1,501)	(\$27,530)	\$74,330

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$25,000	\$25,025	\$25,050	\$25,075	\$25,100	\$125,250
Revenue: OTHER (grants, investments, etc.)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000
Expenditures: Transfer Station / Landfill Operating Expenses	\$33,500	\$33,567	\$33,634	\$33,701	\$33,769	\$168,171
Expenditures: Capital Improvement & Infrastructure	\$11,500	\$11,500	\$11,500	\$11,500	\$11,569	\$57,569
Solid Waste Net Budget	\$0	(\$42)	(\$84)	(\$126)	(\$238)	(\$490)
Solid Waste Fund Balance (for FA, Cap Invest)	\$100,000	\$99,958	\$99,874	\$99,748	\$99,510	\$499,089

SUMMARIES

Projected Tons of Diversion (from GVT)	1,709	1,692	1,694	1,697	1,700	
Projected Tons of MSW disposed (from GVT)	3,156	3,179	3,175	3,171	3,167	
Estimated Number of Households	2,433	2,384	2,337	2,290	2,244	
Annual Cost per Household (Waste Diversion & Recycling)	\$0.00	(\$2.93)	(\$7.57)	(\$9.54)	(\$11.60)	
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	(\$0.02)	(\$0.04)	(\$0.06)	(\$0.11)	
Annual Cost per Ton (Waste Diversion & Recycling)	\$0.00	(\$4.12)	(\$10.44)	(\$12.87)	(\$15.32)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	(\$0.01)	(\$0.03)	(\$0.04)	(\$0.08)	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

4. Lincoln County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,753	\$86,753	\$86,753	\$86,753	\$86,753	\$433,765	\$867,530
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$70,351	\$70,421	\$70,491	\$70,562	\$70,633	\$352,458	\$703,158
Solid Waste Assessment (recycling / HHW)	\$300,689	\$300,689	\$300,689	\$300,689	\$300,689	\$1,503,425	\$3,006,850
Landfill Rebate or similar Revenue for solid waste diversion	\$16,080	\$16,096	\$16,112	\$16,128	\$16,145	\$80,562	\$160,722
Other (please specify) recycle grant	\$13,500	\$13,500	\$13,500	\$13,500	\$13,500	\$67,500	\$134,733
Diversion Programs Revenue	\$487,369	\$487,455	\$487,542	\$487,628	\$487,715	\$2,437,709	\$4,872,993

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$1,570	\$1,585	\$1,601	\$1,617	\$1,633	\$8,006	\$15,551
SW Prevention:Recycling Contracts	\$212,157	\$214,279	\$216,421	\$218,586	\$220,772	\$1,082,214	\$2,102,089
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$143,535	\$144,253	\$144,974	\$145,699	\$146,427	\$724,889	\$1,431,924
SW Prevention:HHW facility total cost of operation	\$20,732	\$20,835	\$20,939	\$21,044	\$21,149	\$104,700	\$206,821
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$139,634	\$141,030	\$142,441	\$143,865	\$145,304	\$712,274	\$1,383,515
Diversion Total Expenditures	\$517,627	\$521,982	\$526,377	\$530,811	\$535,285	\$2,632,083	\$5,139,897

Diversion Net Budget	(\$30,259)	(\$34,527)	(\$38,835)	(\$43,183)	(\$47,570)	(\$194,373)	(\$266,903)
Diversion Fund Balance	(\$57,788)	(\$92,315)	(\$131,150)	(\$174,333)	(\$221,903)	(\$677,490)	(\$603,161)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$25,125	\$25,150	\$25,176	\$25,201	\$25,226	\$125,878	\$251,128
Revenue: OTHER (grants, investments, etc.)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$100,000	\$200,000
Expenditures: Transfer Station / Landfill Operating Expenses	\$33,836	\$33,904	\$33,972	\$34,040	\$34,108	\$169,860	\$338,031
Expenditures: Capital Improvement & Infrastructure	\$11,569	\$11,569	\$11,569	\$11,569	\$11,569	\$57,845	\$115,414
Solid Waste Net Budget	(\$280)	(\$323)	(\$365)	(\$408)	(\$451)	(\$1,827)	(\$2,317)
Solid Waste Fund Balance (for FA, Cap Invest)	\$99,230	\$98,907	\$98,542	\$98,134	\$97,683	\$492,496	\$991,589

SUMMARIES

Projected Tons of Diversion (from GVT)	1,702	1,705	1,707	1,710	1,712		
Projected Tons of MSW disposed (from GVT)	3,163	3,159	3,155	3,151	3,147		
Estimated Number of Households	2,199	2,155	2,112	2,070	2,029		
Annual Cost per Household (Waste Diversion & Recycling)	(\$13.76)	(\$16.02)	(\$18.39)	(\$20.86)	(\$23.45)		
Annual Cost per Household (MSW Transfer / Disposal)	(\$0.13)	(\$0.15)	(\$0.17)	(\$0.20)	(\$0.22)		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$17.78)	(\$20.25)	(\$22.75)	(\$25.26)	(\$27.78)		
Annual Cost per Ton (MSW Transfer / Disposal)	(\$0.09)	(\$0.10)	(\$0.12)	(\$0.13)	(\$0.14)		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

5. Lyon County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$325,000
Household Hazardous Waste Fees/Stipend	\$1,500	\$1,502	\$1,503	\$1,505	\$1,506	\$7,519
County Solid Waste License Fees	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$10,000
Customer Service Fees / Charge for Services	\$5,559	\$5,561	\$5,566	\$5,572	\$5,577	\$27,831
Solid Waste Assessment (recycling / HHW)	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000
Landfill Rebate or similar Revenue for solid waste diversion	\$22,222	\$22,244	\$22,266	\$22,289	\$22,311	\$111,332
Other (please specify)	\$10	\$0	\$0	\$0	\$0	\$10
Diversion Programs Revenue	\$346,287	\$346,306	\$346,336	\$346,369	\$346,394	\$1,731,688

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$35,000	\$35,700	\$36,771	\$37,139	\$37,510	\$182,120
SW Prevention:Recycling Contracts	\$299,999	\$305,999	\$315,179	\$318,331	\$321,514	\$1,561,022
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$23,000	\$23,115	\$23,231	\$23,347	\$23,463	\$116,156
SW Prevention:HHW facility total cost of operation	\$22,222	\$22,333	\$22,445	\$22,557	\$22,670	\$112,227
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$12	\$12	\$13	\$13	\$13	\$62
Diversion Total Expenditures	\$380,233	\$387,159	\$397,638	\$401,386	\$405,170	\$1,971,586

Diversion Net Budget	(\$33,946)	(\$40,853)	(\$51,302)	(\$55,021)	(\$58,776)	(\$239,898)
Diversion Fund Balance	\$100,000	\$59,147	\$7,845	(\$47,176)	(\$105,952)	\$13,863

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$12,123	\$12,135	\$12,147	\$12,159	\$12,172	\$60,736
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$10,000	\$10,020	\$10,040	\$10,060	\$10,080	\$50,200
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$2,123	\$2,115	\$2,107	\$2,099	\$2,091	\$10,536
Solid Waste Fund Balance (for FA, Cap Invest)	\$100,000	\$102,115	\$104,222	\$106,322	\$108,413	\$521,072

SUMMARIES

Projected Tons of Diversion (from GVT)						
Projected Tons of MSW disposed (from GVT)	17,654	17,527	17,402	17,277	17,152	
Estimated Number of Households						
Annual Cost per Household (Waste Diversion & Recycling)	(\$33,946.00)	(\$41,686.79)	(\$53,417.66)	(\$58,458.84)	(\$63,722.89)	
Annual Cost per Household (MSW Transfer / Disposal)	\$2,123.00	\$2,158.25	\$2,194.10	\$2,230.45	\$2,267.34	
Annual Cost per Ton (Waste Diversion & Recycling)	(\$33,946.00)	(\$41,265.71)	(\$51,742.91)	(\$55,410.40)	(\$59,103.30)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.12	\$0.12	\$0.12	\$0.12	\$0.12	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

5. Lyon County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$325,000	\$650,000
Household Hazardous Waste Fees/Stipend	\$1,508	\$1,509	\$1,511	\$1,512	\$1,514	\$7,553	\$15,068
County Solid Waste License Fees	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$10,000	\$20,000
Customer Service Fees / Charge for Services	\$5,583	\$5,588	\$5,594	\$5,600	\$5,605	\$27,970	\$55,801
Solid Waste Assessment (recycling / HHW)	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000	\$2,500,000
Landfill Rebate or similar Revenue for solid waste diversion	\$22,333	\$22,356	\$22,378	\$22,400	\$22,423	\$111,890	\$223,223
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$10
Diversion Programs Revenue	\$346,424	\$346,453	\$346,483	\$346,512	\$346,542	\$1,732,413	\$3,464,101

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$37,885	\$38,264	\$38,647	\$39,033	\$39,423	\$193,253	\$375,372
SW Prevention:Recycling Contracts	\$324,729	\$327,976	\$331,256	\$334,569	\$337,914	\$1,656,449	\$3,217,467
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$23,581	\$23,699	\$23,817	\$23,936	\$24,056	\$119,089	\$235,249
SW Prevention:HHW facility total cost of operation	\$22,783	\$22,897	\$23,012	\$23,127	\$23,242	\$115,061	\$227,287
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$13	\$13	\$13	\$13	\$14	\$66	\$129
Diversion Total Expenditures	\$408,991	\$412,849	\$416,745	\$420,678	\$424,650	\$2,083,913	\$4,055,500

Diversion Net Budget	(\$62,568)	(\$66,396)	(\$70,262)	(\$74,166)	(\$78,108)	(\$351,501)	(\$591,399)
Diversion Fund Balance	(\$168,520)	(\$234,916)	(\$305,179)	(\$379,345)	(\$457,453)	(\$1,545,412)	(\$1,531,549)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$12,184	\$12,196	\$12,208	\$12,220	\$12,233	\$61,041	\$121,777
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$10,100	\$10,121	\$10,141	\$10,161	\$10,181	\$50,704	\$100,909
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$2,083	\$2,075	\$2,067	\$2,059	\$2,051	\$10,336	\$20,872
Solid Waste Fund Balance (for FA, Cap Invest)	\$110,496	\$112,572	\$114,639	\$116,698	\$118,749	\$573,154	\$1,094,226

SUMMARIES

Projected Tons of Diversion (from GVT)	1	1	1	1	1		
Projected Tons of MSW disposed (from GVT)	17,029	16,907	16,785	16,665	16,545		
Estimated Number of Households	1	1	1	1	1		
Annual Cost per Household (Waste Diversion & Recycling)	(\$69,218.02)	(\$74,952.70)	(\$80,935.69)	(\$87,176.05)	(\$93,683.15)		
Annual Cost per Household (MSW Transfer / Disposal)	\$2,304.78	\$2,342.76	\$2,381.31	\$2,420.42	\$2,460.09		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$62,821.82)	(\$66,566.20)	(\$70,336.65)	(\$74,133.40)	(\$77,956.68)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.12	\$0.12	\$0.12	\$0.12	\$0.12		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

6. Murray County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$70,867	\$70,867	\$70,867	\$70,867	\$70,867	\$354,335
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$50,024	\$50,074	\$50,124	\$50,174	\$50,224	\$250,620
Solid Waste Assessment (recycling / HHW)	\$243,468	\$243,468	\$243,468	\$243,468	\$243,468	\$1,217,340
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify) sales of recycling,	\$45,794	\$40,558	\$40,558	\$40,558	\$40,558	\$208,026
Diversion Programs Revenue	\$410,153	\$404,967	\$405,017	\$405,067	\$405,117	\$2,030,321
WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:Recycling Contracts	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:facility total cost of operation	\$350,952	\$352,707	\$354,470	\$356,243	\$358,024	\$1,772,396
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$ 72,825	\$74,282	\$76,510	\$77,275	\$78,048	\$378,939
Diversion Total Expenditures	\$423,777	\$426,989	\$430,980	\$433,518	\$436,072	\$2,151,335
Diversion Net Budget	(\$13,624)	(\$22,021)	(\$25,963)	(\$28,451)	(\$30,954)	(\$121,014)
Diversion Fund Balance	\$100,000	\$77,979	\$52,019	\$23,569	(\$7,390)	\$246,168

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000	\$1,750,000

SUMMARIES

Projected Tons of Diversion (from GVT)	2,757	2,729	2,734	2,738	2,742	
Projected Tons of MSW disposed (from GVT)	4,634	3,179	3,175	3,171	3,167	
Estimated Number of Households	3,532	3,461	3,392	3,324	3,258	
Annual Cost per Household (Waste Diversion & Recycling)	(\$3.86)	(\$6.36)	(\$7.65)	(\$8.56)	(\$9.50)	
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Annual Cost per Ton (Waste Diversion & Recycling)	(\$4.94)	(\$8.07)	(\$9.50)	(\$10.39)	(\$11.29)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

6. Murray County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$70,867	\$70,867	\$70,867	\$70,867	\$70,867	\$354,335	\$708,670
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$50,274	\$50,325	\$50,375	\$50,425	\$50,476	\$251,875	\$502,495
Solid Waste Assessment (recycling / HHW)	\$243,468	\$243,468	\$243,468	\$243,468	\$243,468	\$1,217,340	\$2,434,680
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify) sales of recycling,	\$40,558	\$40,558	\$40,558	\$40,558	\$40,558	\$202,790	\$410,816
Diversion Programs Revenue	\$405,167	\$405,218	\$405,268	\$405,318	\$405,369	\$2,026,340	\$4,056,661

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:Recycling Contracts	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:facility total cost of operation	\$359,814	\$361,613	\$363,421	\$365,238	\$367,064	\$1,817,151	\$3,589,546
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$78,828	\$79,617	\$80,413	\$81,217	\$82,029	\$402,103	\$781,043
Diversion Total Expenditures	\$438,642	\$441,230	\$443,834	\$446,455	\$449,093	\$2,219,254	\$4,370,589

Diversion Net Budget	(\$33,475)	(\$36,012)	(\$38,566)	(\$41,137)	(\$43,725)	(\$192,914)	(\$313,928)
Diversion Fund Balance	(\$40,865)	(\$76,877)	(\$115,442)	(\$156,579)	(\$200,304)	(\$590,067)	(\$343,898)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000	\$1,750,000	\$3,500,000

SUMMARIES

Projected Tons of Diversion (from GVT)	2,746	2,750	2,754	2,758	2,762		
Projected Tons of MSW disposed (from GVT)	3,163	3,159	3,155	3,151	3,147		
Estimated Number of Households	3,193	3,129	3,066	3,003	2,945		
Annual Cost per Household (Waste Diversion & Recycling)	(\$10.48)	(\$11.51)	(\$12.58)	(\$13.69)	(\$14.85)		
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$12.19)	(\$13.10)	(\$14.00)	(\$14.91)	(\$15.83)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

7. Nobles County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$5,000
Customer Service Fees / Charge for Services	\$16,000	\$16,016	\$16,032	\$16,048	\$16,064	\$80,160
Solid Waste Assessment (recycling / HHW)	\$241,000	\$241,000	\$241,000	\$241,000	\$241,000	\$1,205,000
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$330,440	\$330,456	\$330,472	\$330,488	\$330,504	\$1,652,360

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$15,000	\$15,300	\$15,759	\$15,917	\$16,076	\$78,051
SW Prevention:Recycling Contracts	\$205,000	\$209,100	\$215,373	\$217,527	\$219,702	\$1,066,702
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:HHW facility total cost of operation	\$93,000	\$93,465	\$93,932	\$94,402	\$94,874	\$469,673
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$61,490	\$62,720	\$64,601	\$65,247	\$65,900	\$319,958
Diversion Total Expenditures	\$374,490	\$380,585	\$389,666	\$393,093	\$396,552	\$1,934,385

Diversion Net Budget	(\$44,050)	(\$50,129)	(\$59,194)	(\$62,605)	(\$66,048)	(\$282,025)
Diversion Fund Balance	\$372,044	\$321,915	\$262,721	\$200,117	\$134,069	\$1,290,867

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	3,782	3,744	3,750	3,755	3,761	
Projected Tons of MSW disposed (from GVT)	10,540	10,556	10,572	10,588	10,603	
Estimated Number of Households	8,394	8,226	8,062	7,900	7,742	
Annual Cost per Household (Waste Diversion & Recycling)	(\$5.25)	(\$6.09)	(\$7.34)	(\$7.92)	(\$8.53)	
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Annual Cost per Ton (Waste Diversion & Recycling)	(\$11.65)	(\$13.39)	(\$15.79)	(\$16.67)	(\$17.56)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

7. Nobles County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200	\$724,400
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$5,000	\$10,000
Customer Service Fees / Charge for Services	\$16,080	\$16,096	\$16,112	\$16,128	\$16,145	\$80,562	\$160,722
Solid Waste Assessment (recycling / HHW)	\$241,000	\$241,000	\$241,000	\$241,000	\$241,000	\$1,205,000	\$2,410,000
Landfill Rebate or similar Revenue for solid waste diversion	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$330,520	\$330,536	\$330,552	\$330,568	\$330,585	\$1,652,762	\$3,305,122
WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$16,237	\$16,399	\$16,563	\$16,728	\$16,896	\$82,823	\$160,874
SW Prevention:Recycling Contracts	\$221,899	\$224,118	\$226,359	\$228,623	\$230,909	\$1,131,908	\$2,198,610
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:HHW facility total cost of operation	\$95,348	\$95,825	\$96,304	\$96,786	\$97,270	\$481,533	\$951,206
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$66,559	\$67,224	\$67,897	\$68,576	\$69,261	\$339,517	\$659,476
Diversion Total Expenditures	\$400,043	\$403,566	\$407,123	\$410,713	\$414,336	\$2,035,781	\$3,970,166
Diversion Net Budget	(\$69,523)	(\$73,030)	(\$76,571)	(\$80,144)	(\$83,751)	(\$383,019)	(\$665,044)
Diversion Fund Balance	\$64,547	(\$8,484)	(\$85,054)	(\$165,198)	(\$248,950)	(\$443,139)	\$847,727

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	3,767	3,772	3,778	3,784	3,789		
Projected Tons of MSW disposed (from GVT)	10,619	10,635	10,651	10,667	10,683		
Estimated Number of Households	7,588	7,436	7,287	7,141	6,998		
Annual Cost per Household (Waste Diversion & Recycling)	(\$9.16)	(\$9.82)	(\$10.51)	(\$11.22)	(\$11.97)		
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$18.46)	(\$19.36)	(\$20.27)	(\$21.18)	(\$22.10)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

8. Pipestone County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200
Household Hazardous Waste Fees/Stipend	\$5,000	\$5,000	\$5,010	\$5,010	\$5,020	\$25,050
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Assessment (recycling / HHW)	\$241,000	\$241,000	\$241,000	\$241,000	\$241,000	\$1,205,000
Landfill Rebate or similar Revenue for solid waste diversion	\$30,000	\$30,030	\$30,060	\$30,090	\$30,120	\$150,300
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$348,440	\$348,470	\$348,510	\$348,540	\$348,580	\$1,742,550

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$58,900	\$60,078	\$61,880	\$62,499	\$63,124	\$306,482
SW Prevention:Recycling Contracts	\$160,000	\$163,200	\$168,096	\$169,777	\$171,475	\$832,548
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:HHW facility total cost of operation	\$108,300	\$108,842	\$109,386	\$109,933	\$110,482	\$546,942
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$53,199	\$54,263	\$55,891	\$56,450	\$57,014	\$276,817
Diversion Total Expenditures	\$380,399	\$386,382	\$395,253	\$398,659	\$402,095	\$1,962,788
Diversion Net Budget	(\$31,959)	(\$37,907)	(\$46,743)	(\$50,113)	(\$53,515)	(\$220,238)
Diversion Fund Balance	\$372,044	\$334,137	\$287,394	\$237,280	\$183,765	\$1,414,619

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	3,782	3,744	3,750	3,755	3,761	
Projected Tons of MSW disposed (from GVT)	5,668	5,661	5,654	5,647	5,640	
Estimated Number of Households	3,902	3,824	3,747	3,673	3,599	
Annual Cost per Household (Waste Diversion & Recycling)	(\$8.19)	(\$9.91)	(\$12.47)	(\$13.65)	(\$14.87)	
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Annual Cost per Ton (Waste Diversion & Recycling)	(\$8.45)	(\$10.12)	(\$12.47)	(\$13.34)	(\$14.23)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

8. Pipestone County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200	\$724,400
Household Hazardous Waste Fees/Stipend	\$5,025	\$5,030	\$5,035	\$5,040	\$5,045	\$25,176	\$50,226
County Solid Waste License Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Customer Service Fees / Charge for Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Assessment (recycling / HHW)	\$241,000	\$241,000	\$241,000	\$241,000	\$241,000	\$1,205,000	\$2,410,000
Landfill Rebate or similar Revenue for solid waste diversion	\$30,150	\$30,180	\$30,210	\$30,240	\$30,270	\$151,050	\$301,350
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$348,615	\$348,651	\$348,686	\$348,721	\$348,756	\$1,743,429	\$3,485,979

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$63,755	\$64,393	\$65,037	\$65,687	\$66,344	\$325,216	\$631,698
SW Prevention:Recycling Contracts	\$173,189	\$174,921	\$176,671	\$178,437	\$180,222	\$883,440	\$1,715,988
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SW Prevention:HHW facility total cost of operation	\$111,035	\$111,590	\$112,148	\$112,709	\$113,272	\$560,753	\$1,107,699
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$57,584	\$58,160	\$58,742	\$59,329	\$59,923	\$293,738	\$570,559
Diversion Total Expenditures	\$405,564	\$409,064	\$412,597	\$416,162	\$419,760	\$2,063,148	\$4,025,937

Diversion Net Budget	(\$56,949)	(\$60,414)	(\$63,911)	(\$67,441)	(\$71,004)	(\$319,720)	(\$539,958)
Diversion Fund Balance	\$126,816	\$66,402	\$2,491	(\$64,950)	(\$135,955)	(\$5,195)	\$1,409,424

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	3,767	3,772	3,778	3,784	3,789		
Projected Tons of MSW disposed (from GVT)	5,633	5,626	5,619	5,612	5,606		
Estimated Number of Households	3,527	3,457	3,387	3,320	3,253		
Annual Cost per Household (Waste Diversion & Recycling)	(\$16.15)	(\$17.48)	(\$18.87)	(\$20.32)	(\$21.83)		
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$15.12)	(\$16.01)	(\$16.92)	(\$17.82)	(\$18.74)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

9. RRRSWA

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$142,132	\$142,132	\$142,132	\$142,132	\$142,132	\$710,660
Household Hazardous Waste Fees/Stipend	\$1,500	\$1,502	\$1,503	\$1,505	\$1,506	\$7,519
County Solid Waste License Fees	\$500	\$500	\$500	\$500	\$500	\$2,500
Customer Service Fees / Charge for Services	\$116,000	\$116,116	\$116,232	\$116,348	\$116,465	\$581,161
Solid Waste Assessment (recycling / HHW)	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$6,000,000
Landfill Rebate or similar Revenue for solid waste diversion	\$72,500	\$72,573	\$72,645	\$72,718	\$72,790	\$363,226
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$1,532,632	\$1,532,822	\$1,533,012	\$1,533,203	\$1,533,393	\$7,665,064

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$10,000	\$10,200	\$10,506	\$10,611	\$10,717	\$52,034
SW Prevention:Recycling Contracts	\$772,000	\$787,440	\$811,063	\$819,174	\$827,366	\$4,017,043
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$31,300	\$31,457	\$31,614	\$31,772	\$31,931	\$158,073
SW Prevention:HHW facility total cost of operation	\$10,000	\$10,050	\$10,100	\$10,151	\$10,202	\$50,503
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$302,000	\$308,040	\$317,283	\$320,454	\$323,659	\$1,571,434
Diversion Total Expenditures	\$1,125,300	\$1,147,187	\$1,180,564	\$1,192,162	\$1,203,874	\$5,849,086
Diversion Net Budget	\$407,332	\$385,636	\$352,448	\$341,041	\$329,520	\$1,815,976
Diversion Fund Balance	\$100,000	\$485,636	\$838,083	\$1,179,124	\$1,508,644	\$4,111,487

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$1,004,000	\$1,005,004	\$1,006,009	\$1,007,015	\$1,008,022	\$5,030,050
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$971,000	\$972,942	\$974,888	\$976,838	\$978,791	\$4,874,459
Expenditures: Capital Improvement & Infrastructure	\$155,000	\$155,000	\$155,000	\$155,000	\$155,930	\$775,930
Solid Waste Net Budget	(\$122,000)	(\$122,938)	(\$123,879)	(\$124,823)	(\$126,699)	(\$620,339)
Solid Waste Fund Balance (for FA, Cap Invest)	\$100,000	(\$22,938)	(\$146,817)	(\$271,640)	(\$398,339)	(\$739,733)

SUMMARIES

Projected Tons of Diversion (from GVT)	14,337	14,194	14,215	14,236	14,258	
Projected Tons of MSW disposed (from GVT)	15,733	15,779	15,826	15,872	15,919	
Estimated Number of Households	12,538	12,287	12,041	11,801	11,565	
Annual Cost per Household (Waste Diversion & Recycling)	\$32.49	\$31.35	\$29.27	\$28.90	\$28.49	
Annual Cost per Household (MSW Transfer / Disposal)	(\$9.73)	(\$10.01)	(\$10.29)	(\$10.58)	(\$10.96)	
Annual Cost per Ton (Waste Diversion & Recycling)	\$28.41	\$27.17	\$24.75	\$23.96	\$23.11	
Annual Cost per Ton (MSW Transfer / Disposal)	(\$7.75)	(\$7.79)	(\$7.83)	(\$7.86)	(\$7.96)	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

9. RRRSWA

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$142,132	\$142,132	\$142,132	\$142,132	\$142,132	\$710,660	\$1,421,320
Household Hazardous Waste Fees/Stipend	\$1,508	\$1,509	\$1,511	\$1,512	\$1,514	\$7,553	\$15,068
County Solid Waste License Fees	\$500	\$500	\$500	\$500	\$500	\$2,500	\$5,000
Customer Service Fees / Charge for Services	\$116,581	\$116,698	\$116,814	\$116,931	\$117,048	\$584,073	\$1,165,234
Solid Waste Assessment (recycling / HHW)	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$6,000,000	\$12,000,000
Landfill Rebate or similar Revenue for solid waste diversion	\$72,863	\$72,936	\$73,009	\$73,082	\$73,155	\$365,045	\$728,271
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$1,533,584	\$1,533,775	\$1,533,966	\$1,534,157	\$1,534,349	\$7,669,831	\$15,334,893

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$10,824	\$10,933	\$11,042	\$11,152	\$11,264	\$55,215	\$107,249
SW Prevention:Recycling Contracts	\$835,639	\$843,996	\$852,436	\$860,960	\$869,570	\$4,262,600	\$8,279,642
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$32,090	\$32,251	\$32,412	\$32,574	\$32,737	\$162,064	\$320,137
SW Prevention:HHW facility total cost of operation	\$10,253	\$10,304	\$10,355	\$10,407	\$10,459	\$51,778	\$102,280
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$326,895	\$330,164	\$333,466	\$336,800	\$340,168	\$1,667,494	\$3,238,927
Diversion Total Expenditures	\$1,215,702	\$1,227,647	\$1,239,711	\$1,251,894	\$1,264,198	\$6,199,151	\$12,048,237

Diversion Net Budget	\$317,882	\$306,128	\$294,255	\$282,263	\$270,151	\$1,470,680	\$3,286,656
Diversion Fund Balance	\$1,826,526	\$2,132,654	\$2,426,910	\$2,709,173	\$2,979,324	\$12,074,587	\$16,186,074

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$1,009,030	\$1,010,039	\$1,011,049	\$1,012,060	\$1,013,072	\$5,055,251	\$10,085,301
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$980,749	\$982,710	\$984,676	\$986,645	\$988,618	\$4,923,399	\$9,797,858
Expenditures: Capital Improvement & Infrastructure	\$155,930	\$155,930	\$155,930	\$155,930	\$155,930	\$779,650	\$1,555,580
Solid Waste Net Budget	(\$127,649)	(\$128,601)	(\$129,557)	(\$130,515)	(\$131,476)	(\$647,798)	(\$1,268,137)
Solid Waste Fund Balance (for FA, Cap Invest)	(\$525,988)	(\$654,589)	(\$784,146)	(\$914,661)	(\$1,046,137)	(\$3,925,520)	(\$4,665,254)

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

10. Rock County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,700	\$86,700	\$86,700	\$86,700	\$86,700	\$433,500
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$500	\$500	\$500	\$500	\$500	\$2,500
Customer Service Fees / Charge for Services	\$42,900	\$42,943	\$42,986	\$43,029	\$43,072	\$214,929
Solid Waste Assessment (recycling / HHW)	\$101,200	\$101,200	\$101,200	\$101,200	\$101,200	\$506,000
Landfill Rebate or similar Revenue for solid waste diversion	\$22,200	\$22,222	\$22,244	\$22,267	\$22,289	\$111,222
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$253,500	\$253,565	\$253,630	\$253,695	\$253,761	\$1,268,152

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$19,500	\$19,890	\$20,487	\$20,692	\$20,898	\$101,467
SW Prevention:Recycling Contracts	\$124,000	\$126,480	\$130,274	\$131,577	\$132,893	\$645,224
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$40,500	\$40,703	\$40,906	\$41,111	\$41,316	\$204,535
SW Prevention:HHW facility total cost of operation	\$20,200	\$20,301	\$20,403	\$20,505	\$20,607	\$102,019
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$42,600	\$43,452	\$44,756	\$45,203	\$45,659	\$221,666
Diversion Total Expenditures	\$246,800	\$250,826	\$256,825	\$259,087	\$261,370	\$1,274,907

Diversion Net Budget	\$6,700	\$2,740	(\$3,195)	(\$5,391)	(\$7,609)	(\$6,756)
Diversion Fund Balance	\$0	\$2,740	(\$455)	(\$5,847)	(\$13,456)	(\$17,018)

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$608,500	\$609,109	\$609,718	\$610,327	\$610,938	\$3,048,591
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$598,200	\$599,396	\$600,593	\$601,796	\$603,000	\$3,002,985
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$10,300	\$9,712	\$9,125	\$8,531	\$7,938	\$45,603
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$9,712	\$18,835	\$27,365	\$35,303	\$91,215

SUMMARIES

Projected Tons of Diversion (from GVT)	1,936	1,917	1,920	1,922	1,925	
Projected Tons of MSW disposed (from GVT)	4,433	4,462	4,492	4,522	4,552	
Estimated Number of Households	3,892	3,814	3,738	3,663	3,590	
Annual Cost per Household (Waste Diversion & Recycling)	\$1.72	\$0.72	(\$0.85)	(\$1.47)	(\$2.12)	
Annual Cost per Household (MSW Transfer / Disposal)	\$2.65	\$2.55	\$2.44	\$2.33	\$2.21	
Annual Cost per Ton (Waste Diversion & Recycling)	\$3.46	\$1.43	(\$1.66)	(\$2.80)	(\$3.95)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$2.32	\$2.18	\$2.03	\$1.89	\$1.74	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

10. Rock County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$86,700	\$86,700	\$86,700	\$86,700	\$86,700	\$433,500	\$867,000
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$500	\$500	\$500	\$500	\$500	\$2,500	\$5,000
Customer Service Fees / Charge for Services	\$43,115	\$43,158	\$43,201	\$43,244	\$43,288	\$216,006	\$430,936
Solid Waste Assessment (recycling / HHW)	\$101,200	\$101,200	\$101,200	\$101,200	\$101,200	\$506,000	\$1,012,000
Landfill Rebate or similar Revenue for solid waste diversion	\$22,311	\$22,334	\$22,356	\$22,378	\$22,401	\$111,779	\$223,002
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$253,826	\$253,892	\$253,957	\$254,023	\$254,088	\$1,269,786	\$2,537,937

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$21,107	\$21,319	\$21,532	\$21,747	\$21,965	\$107,669	\$209,136
SW Prevention:Recycling Contracts	\$134,222	\$135,564	\$136,920	\$138,289	\$139,672	\$684,666	\$1,329,891
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$41,523	\$41,730	\$41,939	\$42,149	\$42,359	\$209,700	\$414,235
SW Prevention:HHW facility total cost of operation	\$20,710	\$20,814	\$20,918	\$21,022	\$21,127	\$104,591	\$206,606
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$46,112	\$46,573	\$47,039	\$47,509	\$47,984	\$235,216	\$456,882
Diversion Total Expenditures	\$263,674	\$265,999	\$268,347	\$270,716	\$273,107	\$1,341,843	\$2,616,750

Diversion Net Budget	(\$9,848)	(\$12,108)	(\$14,390)	(\$16,693)	(\$19,019)	(\$72,057)	(\$78,813)
Diversion Fund Balance	(\$23,303)	(\$35,411)	(\$49,800)	(\$66,494)	(\$85,513)	(\$260,521)	(\$277,539)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$611,549	\$612,160	\$612,772	\$613,385	\$613,998	\$3,063,865	\$6,112,456
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$604,206	\$605,414	\$606,625	\$607,838	\$609,054	\$3,033,138	\$6,036,126
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$7,343	\$6,746	\$6,147	\$5,547	\$4,944	\$30,726	\$76,330
Solid Waste Fund Balance (for FA, Cap Invest)	\$42,646	\$49,392	\$55,539	\$61,085	\$66,030	\$274,691	\$365,906

SUMMARIES

Projected Tons of Diversion (from GVT)	1,928	1,931	1,934	1,937	1,940		
Projected Tons of MSW disposed (from GVT)	4,582	4,612	4,643	4,673	4,704		
Estimated Number of Households	3,518	3,448	3,379	3,311	3,245		
Annual Cost per Household (Waste Diversion & Recycling)	(\$2.80)	(\$3.51)	(\$4.26)	(\$5.04)	(\$5.86)		
Annual Cost per Household (MSW Transfer / Disposal)	\$2.09	\$1.96	\$1.82	\$1.68	\$1.52		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$5.11)	(\$6.27)	(\$7.44)	(\$8.62)	(\$9.80)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$1.60	\$1.46	\$1.32	\$1.19	\$1.05		

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

11. Yellow Medicine County

YEAR	2025	2026	2027	2028	2029	5 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$350	\$350	\$350	\$350	\$350	\$1,750
Customer Service Fees / Charge for Services	\$350	\$350	\$351	\$351	\$351	\$1,754
Solid Waste Assessment (recycling / HHW)	\$135,800	\$135,800	\$135,800	\$135,800	\$135,800	\$679,000
Landfill Rebate or similar Revenue for solid waste diversion	\$23,000	\$23,023	\$23,046	\$23,069	\$23,092	\$115,230
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$231,940	\$231,963	\$231,987	\$232,010	\$232,034	\$1,159,934

WASTE DIVERSION & RECYCLING EXPENDITURES						
SW Prevention:Reduction Programs (Education & Staffing)	\$14,310	\$14,596	\$15,034	\$15,184	\$15,336	\$74,461
SW Prevention:Recycling Contracts	\$180,000	\$183,600	\$189,108	\$190,999	\$192,909	\$936,616
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$6,250	\$6,281	\$6,313	\$6,344	\$6,376	\$31,564
SW Prevention:HHW facility total cost of operation	\$12,000	\$12,060	\$12,120	\$12,181	\$12,242	\$60,603
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$7,500	\$7,650	\$7,800	\$7,950	\$8,038	\$39,026
Diversion Total Expenditures	\$220,060	\$224,187	\$230,455	\$232,667	\$234,901	\$1,142,270

Diversion Net Budget	\$11,880	\$7,776	\$1,532	(\$657)	(\$2,867)	\$17,664
Diversion Fund Balance	\$0	\$7,776	\$9,308	\$8,651	\$5,784	\$31,519

	2025	2026	2027	2028	2029	5 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	2,270	2,247	2,251	2,254	2,257	
Projected Tons of MSW disposed (from GVT)	4,909	4,962	5,014	5,068	5,121	
Estimated Number of Households	3,978	3,898	3,820	3,744	3,669	
Annual Cost per Household (Waste Diversion & Recycling)	\$2.99	\$1.99	\$0.40	(\$0.18)	(\$0.78)	
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Annual Cost per Ton (Waste Diversion & Recycling)	\$5.23	\$3.46	\$0.68	(\$0.29)	(\$1.27)	
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2026 Southwest Regional Solid Waste Plan

Appendix B. Budgets

11. Yellow Medicine County

YEAR	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
WASTE DIVERSION & RECYCLING REVENUES	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
SCORE	\$72,440	\$72,440	\$72,440	\$72,440	\$72,440	\$362,200	\$724,400
Household Hazardous Waste Fees/Stipend	\$0	\$0	\$0	\$0	\$0	\$0	\$0
County Solid Waste License Fees	\$350	\$350	\$350	\$350	\$350	\$1,750	\$3,500
Customer Service Fees / Charge for Services	\$352	\$352	\$352	\$353	\$353	\$1,762	\$3,516
Solid Waste Assessment (recycling / HHW)	\$135,800	\$135,800	\$135,800	\$135,800	\$135,800	\$679,000	\$1,358,000
Landfill Rebate or similar Revenue for solid waste diversion	\$23,115	\$23,138	\$23,161	\$23,185	\$23,208	\$115,808	\$231,038
Other (please specify)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Diversion Programs Revenue	\$232,057	\$232,080	\$232,104	\$232,127	\$232,151	\$1,160,520	\$2,320,454

WASTE DIVERSION & RECYCLING EXPENDITURES							
SW Prevention:Reduction Programs (Education & Staffing)	\$15,490	\$15,645	\$15,801	\$15,959	\$16,119	\$79,013	\$153,474
SW Prevention:Recycling Contracts	\$194,838	\$196,787	\$198,754	\$200,742	\$202,749	\$993,870	\$1,930,487
SW Prevention:Problem Material Mgmt. (e.g. mattress disposal)	\$6,408	\$6,440	\$6,472	\$6,504	\$6,537	\$32,361	\$63,925
SW Prevention:HHW facility total cost of operation	\$12,303	\$12,365	\$12,426	\$12,488	\$12,551	\$62,133	\$122,736
Solid Waste Administration (usu. Salary & benefits & office expenses)	\$8,118	\$8,199	\$8,281	\$8,364	\$8,448	\$41,411	\$80,437
Diversion Total Expenditures	\$237,157	\$239,439	\$241,735	\$244,058	\$246,404	\$1,208,789	\$2,351,059

Diversion Net Budget	(\$5,100)	(\$7,354)	(\$9,631)	(\$11,931)	(\$14,253)	(\$48,269)	(\$30,605)
Diversion Fund Balance	\$684	(\$6,671)	(\$16,302)	(\$28,232)	(\$42,485)	(\$93,006)	(\$61,487)

	2030	2031	2032	2033	2034	5 Yr Total	10 Yr Total
SOLID WASTE TRANSFER STATION / LANDFILL ONLY	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Revenue: Charge For Services (e.g. Tip Fee)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Revenue: OTHER (grants, investments, etc.)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Transfer Station / Landfill Operating Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures: Capital Improvement & Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Net Budget	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Fund Balance (for FA, Cap Invest)	\$0	\$0	\$0	\$0	\$0	\$0	\$0

SUMMARIES

Projected Tons of Diversion (from GVT)	2,261	2,264	2,268	2,271	2,274		
Projected Tons of MSW disposed (from GVT)	5,176	5,231	5,286	5,342	5,399		
Estimated Number of Households	3,596	3,524	3,453	3,384	3,317		
Annual Cost per Household (Waste Diversion & Recycling)	(\$1.42)	(\$2.09)	(\$2.79)	(\$3.53)	(\$4.30)		
Annual Cost per Household (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Annual Cost per Ton (Waste Diversion & Recycling)	(\$2.26)	(\$3.25)	(\$4.25)	(\$5.25)	(\$6.27)		
Annual Cost per Ton (MSW Transfer / Disposal)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

1. Cottonwood County

Solid Waste Facility Permit

SW-143

Facility name: Cottonwood County Sanitary Landfill
43973 County Road 22
Windom, MN 56101
Cottonwood County

Issuance date: June 18, 2025

Expiration date: June 18, 2035

In accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the Permittee listed on the following page to construct and operate the facility under the conditions set forth in this permit.

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility. This permit expires at midnight on the expiration date identified above.

Signature: *Sherri M. Nachtigal* for the Minnesota Pollution Control Agency

This document has been electronically signed.

Sherri M. Nachtigal, P.E.

Supervisor

Solid Waste Permitting Unit 2

Resource Management & Assistance Division

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

1. Cottonwood County

Permit/Design Capacity Info (Source: NCL 2024 Annual Report)

Permitted Capacity

Waste Disposal Area	Permitted Capacity (Airspace including final cover in cubic yards) ¹	Capacity Actually Used in 2024 (Airspace including final cover in cubic yards) ²	CON Used in 2024 (Airspace including final cover in cubic yards) ³	Remaining Permitted Capacity (Airspace including final cover in cubic yards) ⁴
MSW	1,852,324	85,539	59,329	685,108
Demolition	299,892	6,691		32,249
Industrial	0	0		0
MSW Combustor Ash	0	0		0

Design Capacity

Waste Disposal Area	Design Capacity (Airspace including final cover in cubic yards) ¹	Remaining Design Capacity (Airspace including final cover in cubic yards) ²	Remaining CON Capacity (Airspace including final cover in cubic yards) ³	Remaining Operating Life (Years) ⁴
MSW	4,382,052	2,584,421	94,385	30.21
Demolition	299,892	32,249		4.82
Industrial	0	0		0.00
MSW Combustor Ash	0	0		0.00

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

2. Lincoln County



Minnesota Pollution
Control Agency
520 Lafayette Road
St. Paul, MN 55155-4194

Solid Waste Transfer Facility PBR Notification Form

Solid Waste Permit Program
Permit-By-Rule (PBR)

Doc Type: Permit By Rule

PBR Identification number: _____

Print or type application. Before submitting, make a photocopy for your records. A response letter will be issued.

The completed form is to be returned to:
(including all appropriate attachments)

Solid Waste Permit Document Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Eligibility Criteria:

1. Owners/operators of PBR transfer facilities must comply with Minn. R. 7001.3050, subp. 3, item A and 7035.2525, subp. 2, item H.
2. All waste must be managed and stored in containers or roll-off boxes constructed of impervious material or in a fully enclosed building that meets the standards in Minn. R. 7035.2870, subp. 4, or where the commissioner has determined that the current design is adequate as provided in Minn. R. 7035.2870, subp. 3.
3. No more than 120 cubic yards of waste are stored on site at any given time.
4. No more than 120 cubic yards of waste are managed on site per day.
5. Source-separated recyclable materials received at the facility and stored on site do not count towards items 3 or 4.
6. Recyclable materials recovered from the waste on site and stored on site do not count towards item 3.
7. Owners and operators must comply with the operating standards in Minn. R. 7035.2870, subp. 5.

I. County Acknowledgement

This section must be completed by the County Solid Waste Administrator or Zoning Officer. This section is meant to notify the county of the applicant's intent so that all local ordinances and plans can be met.

Signature: Robert E. Olsen Date: (mm/dd/yyyy): 5/11/2018
Name: Robert E. Olsen Phone: 507-694-1699
Title: Administrator Fax: 507-694-1341
E-mail: rolsen@co.lincoln.mn.us
Address: 221 N. Wallace
City: Ivanhoe State: MN Zip: 56142
Comments: _____

II. Facility Information (Please include map showing location.)

A. Facility Location

Facility name: Lincoln County Transfer Site Former Permit No. _____
(if applicable) SW-
Address: 1962 270th Street
City: Ivanhoe State: MN Zip: 56142
MPCA Region (check one): ☐ Brainerd ☐ Detroit Lakes ☐ Duluth ☒ Marshall/Willmar ☐ Metro ☐ Rochester

B. Legal Description of Property (acreage includes the entire area of the facility)

2 Acres SE 1/4 SE 1/4 Section 4 T 111 N R 45 W
Township name: Ash Lake MN Legislative District: 22
Latitude: _____ Deg 44.446 Min _____ Sec North
Longitude: _____ Deg -96.270 Min _____ Sec West

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w-sw3-31 • 9/14/12 Page 1 of 3

C. Current land use:

D. Is the proposed facility located:

1. Within wetland areas as defined in Minn. R. 7035.0300, subp. 119? ☐ Yes ☒ No
2. Within a shoreland or wild and scenic river land-use district governed by Minn. R. chs. 6105 and 6120? ☐ Yes ☒ No
3. Within a location where emissions of air pollutants would violate the ambient air quality standards in Minn. R. chs. 7005, 7007, 7008, 7011, 7017, 7018, and 7028 and parts 7023.0100 to 7023.0120? ☐ Yes ☒ No

E. Is the facility adjacent to or will it include any other type of solid waste management activity? ☒ Yes ☐ No

If "yes" explain: AHW collection and 90-day Storage facility

F. Facility size (cubic yards): 60 cubic yards

G. Type(s) of waste (demolition, industrial, MMSW, etc.): Demolition and MSW

III. Signature and Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

I further certify that the construction and operation of the above described facility will be in accordance with the conditions of the Minnesota Pollution Control Agency transfer permit-by-rule requirements.

Landowner

Signature: Deb Vierhuf by Robin Sterzinger Date: (mm/dd/yyyy): 5/11/2018
Name: Deb Vierhuf Phone: 507-694-1134
Title: Auditor Fax: 507-694-1138
E-mail: dvierhuf@co.lincoln.mn.us
Organization: Lincoln County
Address: 419 N Rebecca St
City: Ivanhoe State: MN Zip: 56142

Owner (Applicant)

Signature: Robert E. Olsen Date: (mm/dd/yyyy): 5/11/2018
Name: Robert E. Olsen Phone: 507-694-1699
Title: Environmental Administrator Fax: 507-694-1341
E-mail: rolsen@co.lincoln.mn.us
Organization: Lincoln County
Address: 221 North Wallace
City: Ivanhoe State: MN Zip: 56142

Operator

Signature: Pete Doyscher Date: (mm/dd/yyyy): 5-22-18
Name: Pete Doyscher Phone: 507-694-1612
Title: Environmental Tech Fax: 507-694-1341
E-mail: pdoyscher
Organization: Lincoln County
Address: 221 North Wallace
City: Ivanhoe State: MN Zip: 56142

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Appendix C. Permits 3. Lyon County



Minnesota Pollution Control Agency

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800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

Solid Waste Management Facility Permit

Lyon County Sanitary Landfill

Permit: SW-23

Action: PER009

In accordance with Minn. Stat. Chs. 115, 115A, and 116, and Minn. Rules Chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the permittee(s) listed on the following page to construct and operate the Lyon County Sanitary Landfill, SW-23 under the conditions set forth in this permit.

The facility consists of 320 acres located in: Township 110 N, Range 42 W, Section 9, Lyon County, in the MPCA Marshall Region. The facility includes the following waste activity area(s):

Leachate Recirculation	LR001
Municipal Solid Waste Disposal Area	SA001
Solid Waste Storage Area	ST001
Solid Waste Transfer Area	TR002

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

Permit Issuance Date: 07/15/2014

Permit Expiration Date: 07/14/2024

Permit Modified Date:

Minnesota Pollution Control Agency

A handwritten signature in black ink, appearing to read "Mike Mondloch", written over a horizontal line.

Mike Mondloch
Supervisor, Solid Waste Permitting Unit
Prevention and Solid Waste Management Section
Resource Management & Assistance Division

Appendix C. Permits

3. Lyon County

Lyon County Landfill Capacity Info (Source: Tonya Koller, PE - Burns and McDonnell):

Current Landfill Area:

Closed Unlined Area:	1,068,300	CY
Calc Capacity in Phases 1-8:	1,513,966	CY
Calc Capacity in Unlined+1-8	2,582,266	CY

Planned Phases:

Phase	Ultimate Capacity (CY) (includes final cover)
9A	511,444
9B-1	523,700
9B-2	542,400
9B-3	755,100
10A	529,895
10B	1,674,900
11A/11B	3,161,000

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

3. Lyon County

Permitted/Design Capacity Info (Source: 2024 Lyon County Landfill Annual Report):

Permitted Capacity

Waste Disposal Area	Permitted Capacity (Airspace including final cover in cubic yards) ¹	Capacity Actually Used in 2024 (Airspace including final cover in cubic yards) ²	CON Used in 2024 (Airspace including final cover in cubic yards) ³	Remaining Permitted Capacity (Airspace including final cover in cubic yards) ⁴
MSW	4,115,974	69,387	48,774	349,885
Demolition	0	0		0
Industrial	0	0		0
MSW Combustor Ash	0	0		0

Design Capacity

Waste Disposal Area	Design Capacity (Airspace including final cover in cubic yards) ¹	Remaining Design Capacity (Airspace including final cover in cubic yards) ²	Remaining CON Capacity (Airspace including final cover in cubic yards) ³	Remaining Operating Life (Years) ³
MSW	9,715,266	5,949,177	174,409	37.40
Demolition	0	0		0.00
Industrial	0	0		0.00
MSW Combustor Ash	0	0		0.00

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

4. Murray County



Minnesota Pollution Control Agency

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December 10, 2007

Mr. Jon Bloemendaal
Ag. & Solid Waste Administrator
Murray County
2500 - 28th Street
PO Box 57
Slayton, MN 56172

RECEIVED DEC 13 2007

RE: Minnesota Pollution Control Agency Solid Waste Permit
Murray County Demolition Debris Landfill (SW-451)

Dear Mr. Bloemendaal:

Enclosed please find the reissued Solid Waste Permit (Permit) for the Murray County Demolition Debris Landfill (Facility), SW-451. The Minnesota Pollution Control Agency (MPCA) has prepared the Permit in accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035. No written comments were received during the thirty-day public notice period. The Permit is, hereby, issued for the continued operation of the Facility.

Your attention is specifically directed to the following compliance items in the Permit:

1. Section 2.5.2 of the Permit, which requires the submittal of a Work Plan for the installation of a groundwater monitoring system at the Facility. The Work Plan is due for submittal within 30 days of the date of issuance of the Permit.
2. Section 2.5.3 of the Permit, which requires the submittal of a groundwater monitoring network and sampling and analysis plan for the Facility, which is due for submittal by February 1, 2008.

Please work with Mark Rys, the MPCA's staff hydrogeologist for the site, regarding the submittal requirements listed above. Mr. Rys can be reached at 651-296-7653.

If you have any other questions regarding the enclosed Permit, please contact Anthony Bello of our staff at 651-296-7272.

Sincerely,

James K. Lungstrom, P.E.
Supervisor, Solid Waste Permitting Unit
St. Paul Office
Municipal Division

JKL/AYB:kk

Enclosure

cc: Darryl Heaps, P.E., SEH, Inc. (w/enclosure)
Paul Kimman, MPCA, Willmar (w/enclosure)

St. Paul | Brainerd | Detroit Lakes | Duluth | Mankato | Marshall | Rochester | Willmar



Appendix C. Permits

5. Nobles County



Solid Waste Facility Permit

SW-11

Permittee: Nobles County Landfill

Facility name: Nobles County Landfill
22341 Knauf Avenue
Rushmore, Minnesota 56168-5226
Nobles County

Issuance date: January 21, 2022

Expiration date: January 21, 2032

In accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the Permittee listed on the following page to construct and operate the facility under the conditions set forth in this permit.

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility. This permit expires at midnight on the expiration date identified above.

Signature: 

This document has been electronically signed.

Elizabeth Gawrys
Supervisor, Solid Waste Permitting Unit
Resource Management & Assistance Division

for the Minnesota Pollution Control Agency

Appendix C. Permits

5. Nobles County

Nobles County Landfill:

Capacity/Phase Development (Source: 2018 NCL Permit Application)

TABLE 1
CAPACITY ESTIMATE AND APPROXIMATE CONSTRUCTION QUANTITIES
NOBLES COUNTY LANDFILL

Phase	Stage	Overliner Area (ac)	Base Liner Area (ac)	Excavation (cy)	Structural Fill (cy)	Gas Venting Layer (cy)	Clay Liner (cy)	Sand (cy)	Waste/Daily Cover Airspace (cy)	Estimated Life (yr) ²
West 17 Acres	Waste in Place	-	-	-	-	-	-	-	416,667	-
Phases I-IV	Waste in Place	-	-	-	-	-	-	-	578,000	-
V	Waste in Place ¹	-	-	-	-	-	-	-	732,607	-
	1	0.1	0.6	10,000	-	150	2,400	1,200	158,413	2.3
	2 (peak)	-	-	-	-	-	-	-	250,987	3.6
	Total	0.1	0.6	10,000	-	150	2,400	1,200	1,142,007	16.6
VI	1	2.8	3.4	25,300	5,900	5,000	20,000	10,000	496,130	7.2
	2 (peak)	-	-	-	-	-	-	-	230,413	3.3
	Total	2.8	3.4	25,300	5,900	5,000	20,000	10,000	726,543	10.6
	1	-	12.9	43,714	79,864	-	42,000	21,000	713,106	10.4
VII	2 (peak)	-	-	-	-	-	-	-	124,975	1.8
	Total	-	12.9	43,714	79,864	-	42,000	21,000	838,081	12.2
	Total	19.7	-	121,600	57,400	32,000	-	-	3,088,433	44.9
	Total	-	52.4	492,583	311,679	-	169,000	84,500	10,689,437	155.4
Construction and Demolition	11 (remaining)	-	-	-	-	-	-	-	-	0.0
	12 & 13	-	2.7	7,900	11,400	-	-	-	100,100	1.5
	Total	-	2.7	7,900	11,400	-	-	-	100,100	1.5
Total MSW Airspace "Ultimate Design Capacity" =									17,479,168	
Remaining MSW Airspace "Ultimate Design Capacity" =									15,751,894	229.0
Total C&D "Ultimate Design Capacity" =									247,943	
Remaining C&D Airspace =									100,100	6.7

Soil Balance

Footprint Excavation	701,097
Potential On-Site Borrow Soil	735,000
Total Available On-site Soil	1,436,097
Clay Liner	233,400
Structural Fill	466,243
Final Cover	346,544
Daily/Intermediate Cover	787,595
Total Soil Required	1,833,782
Total Soil Balance	(397,685)

Notes:

1. Estimate as of November, 2017.
2. Estimated life is calculated using 68,800 cubic yards per year for MSW (including waste and daily cover), and 15,000 cubic yards per year for C&D.
3. Base Liner areas assume a 2' thick compacted clay liner and 1' thick sand drainage layer.
4. Overliner areas assume a 1' thick gas vent layer, in addition to the compacted clay liner and drainage layer.
5. Final cover soil is based on closing 107.4 acres with 2' final cover including topsoil.
6. Daily/Intermediate cover soil quantity is calculated based on 5% of total airspace.

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

5. Nobles County

Permit/Design Capacity Info (Source: NCL 2024 Annual Report)

Permitted Capacity

Waste Disposal Area	Permitted Capacity (Airspace including final cover in cubic yards) ¹	Capacity Actually Used in 2024 (Airspace including final cover in cubic yards) ²	CON Used in 2024 (Airspace including final cover in cubic yards) ³	Remaining Permitted Capacity (Airspace including final cover in cubic yards) ⁴
MSW	1,852,324	85,539	59,329	685,108
Demolition	299,892	6,691		32,249
Industrial	0	0		0
MSW Combustor Ash	0	0		0

Design Capacity

Waste Disposal Area	Design Capacity (Airspace including final cover in cubic yards) ¹	Remaining Design Capacity (Airspace including final cover in cubic yards) ²	Remaining CON Capacity (Airspace including final cover in cubic yards) ³	Remaining Operating Life (Years) ⁴
MSW	4,382,052	2,584,421	94,385	30.21
Demolition	299,892	32,249		4.82
Industrial	0	0		0.00
MSW Combustor Ash	0	0		0.00

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits

7. Renville County



Minnesota Pollution Control Agency

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September 30, 2009

The Honorable Ralph Novotny, Chair
Renville County Board of Commissioners
410 East DePue, Room 315
Olivia, MN 56277

RE: Solid Waste Management Facility Permit
Renville County Sanitary Landfill, SW-90

Dear Commissioner Novotny:

Enclosed is a copy of the Minnesota Pollution Control Agency's (MPCA) Solid Waste Permit (Permit) for the Renville County Sanitary Landfill. The Facility is located within a 94-acre parcel of land in Section 23, Township 114 North, Range 35 West, Henryville Township, Renville County, Minnesota.

The MPCA has prepared the Permit in accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035. Three written comments were received during the 30-day public notice period in November 2008, and two written comments were received during the July 2009 public notice period. All comments received were reviewed and considered in the final permit as issued. The Permit is hereby issued to Renville County for the continued operation of the Renville County Sanitary Landfill.

If you have any questions regarding the enclosed Permit, please contact Anthony Bello of our staff at 651-757-2219.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Rust".

Mark Rust
Supervisor, Solid Waste Permitting Unit
St. Paul Office
Municipal Division

MR/AYB:kk

Enclosure

cc: Ali Holzman, Legislative Assistant, Office of Senator Gary Kubly
Marlin Larson, P.E., Public Works Administrator, Renville County (w/Enclosure)
Melanie Niday, SEH, Inc., St. Cloud (w/Enclosure)
Paul Kimman, MPCA, Marshall (w/Enclosure)



Appendix C. Permits

6. RRRSWA



**Minnesota Pollution
Control Agency**
520 Lafayette Road
St. Paul, MN 55155-4194

Solid Waste Transfer Facility or SSOM Compost Facility Extended Permit Notification

Solid Waste Permit Program

Doc Type: Permit Application

Instructions: Print or type application before submitting; make a photocopy for your records. The Minnesota Pollution Control Agency (MPCA) will provide an official response to the permittees once the completed form is reviewed. Owners or operators of transfer facilities or source-separated organic material (SSOM) compost facilities operating under an extended permit shall complete and submit this form to the MPCA, upon the anniversary of the expiration date of the permit and every 10 years thereafter.

The completed form is to be returned to: **Solid Waste Permit Document Coordinator**
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

I. Facility Information

Facility name: Redwood/Renville Counties MRF/Transfer Station Permit No.: SW-664
Address: 921 West Bridge Street
City: Redwood Falls State: MN Zip: 56283

II. Solid Waste Annual Report contact

Name: Brian Sams Phone: 507-637-1806
Title: RRRSWA Facility Manager Email: brians@rrrswa.com
Organization: Redwood/Renville Regional Solid Waste Authority
Address: 921 West Bridge Street
City: Redwood Falls State: MN Zip: 56283

III. Minor modifications (check one)

A list of any minor modification made to the facility since permit notification or the date of last extended permit notification is attached.

☐ Yes ☒ No

IV. Annual updates to required plans (check all that apply)

Attached are a summary of annual updates to the following approved plans:

- ☒ Industrial Solid Waste Management Plan required by Minn. R. 7035.2535, subp. 5
- ☒ Contingency Action Plan required by Minn. R. 7035.2615
- ☒ Emergency Response Plan required by Minn. R. 7035.2595, subp. 5
- ☒ Operations and Maintenance Plan required by Minn. R. 7001.3300, item P
- ☒ Inspection Schedule required by Minn. R. 7035.2535, subp. 4
- ☒ Storm Water Pollution Prevention Plan if required by Minn. R. 7001.1000 to 7001.1100
- ☒ Closure Plan required under Minn. R. 7035.2625

V. Signature and Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

I further certify that all the requirements of Minn. R. 7001.3075, subp. 3, have been fulfilled and the facility is eligible to operate under an extended permit.

Landowner

Signature: [Signature] Date: 1/10/19
Name: Jon Mitchell Phone: (507) 637-1801
Title: Executive Director Fax: NA
Email: jonm@rrrswa.com
Organization: Redwood/Renville Regional Solid Waste Authority (RRRSWA)
Address: 921 West Bridge Street
City: Redwood Falls State: MN Zip: 56283

Owner (Applicant)

Signature: [Signature] Date: 1/10/19
Name: Jon Mitchell Phone: 507-637-1801
Title: Executive Director Fax: NA
Email: jonm@rrrswa.com
Organization: Redwood/Renville Regional Solid Waste Authority (RRRSWA)
Address: 921 West Bridge Street
City: Redwood Falls State: MN Zip: 56283

Operator

Signature: [Signature] Date: 1/10/2019
Name: Brian Sams Phone: 507-637-1806
Title: Facility Manager Fax: NA
Email: brians@rrrswa.com
Organization: Redwood/Renville Regional Solid Waste Authority (RRRSWA)
Address: 921 West Bridge Street
City: Redwood Falls State: MN Zip: 56283

2026 Southwest Regional Solid Waste Plan

Appendix C. Permits 6. RRRSWA



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300
800-657-3864 | 651-282-5132 TTY | www.pca.state.mn.us | Equal Opportunity Employer

FILE

October 22, 2013

Mr. Bob Fox
Chair, Redwood/Renville Regional Solid Waste Board
PO Box 130
Redwood Falls, MN 56283

RE: Solid Waste Management Facility Permit
Redwood/Renville Counties MRF/Transfer Station, SW-664

File Name	Redwood/Renville Transfer Station
File Number	SW-664
Page #	Staff AYB
Category	Permit

Dear Mr. Fox:

Enclosed is a copy of the Minnesota Pollution Control Agency's (MPCA) Solid Waste Permit (Permit) for the Redwood/Renville Counties MRF/Transfer Station (Facility). The facility is approximately nine acres and is located in Township 113 North, Range 36 West, Section 36, Redwood County, Minnesota.

The MPCA has prepared the Permit in accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035. No written comments were received during the 30-day public notice period. The Permit is hereby issued for the construction and operation of the facility.

If you have any questions regarding the enclosed Permit, please contact Anthony Bello of our staff at 651-757-2219.

Sincerely,

Paula J. Connell, P.E.
Supervisor, Solid Waste Permitting Unit
St. Paul Office
Resource Management & Assistance Division

PJC/AYB:wgp

Enclosure

cc: Curt Hartog, Foth Infrastructure & Environment, LLC
John Schueller, Redwood/Renville Joint Solid Waste Board
Paul Kimman, MPCA, Marshall

Appendix C. Permits

8. Rock County



Solid Waste Facility Permit

SW-499-003

Permittee: Rock County Demolition Landfill

Facility name: Rock County Demolition Landfill
1236 N River Rd
Luverne, MN56156
Rock County

Issuance date: September 8, 2017

Modification date:

Expiration date: September 8, 2027

In accordance with Minn. Stat. chs. 115, 115A, and 116, and Minn. R. chs. 7000, 7001, and 7035, the Minnesota Pollution Control Agency (MPCA) hereby issues this permit and authorizes the Permittee listed on the following page to construct and operate the facility under the conditions set forth in this permit.

The determination to issue this permit is discretionary with the MPCA and was made subsequent to MPCA staff review of the permit application. The term commissioner, as used in this permit, refers to the MPCA Commissioner or MPCA personnel who have been delegated explicit authority by the commissioner. Other terms used in this permit are defined in Minnesota Statutes, the MPCA Solid Waste Management Rules, or specifically defined in this permit.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility. This permit expires at midnight on the expiration date identified above.

Signature: *Mike Mondloch*

This document has been electronically signed.

for the Minnesota Pollution Control Agency

Mike Mondloch
Supervisor, Solid Waste Permitting Unit
Solid Waste Section
Resource Management & Assistance Division

Appendix D. County Ordinances

The following pages are copies of the existing Solid Waste Ordinances

Solid Waste Ordinance

Ordinance #19
1993 Revision

TABLE OF CONTENTS

Section I	-	Definitions	Page 1
Section II	-	Administration... ..	Page 8
Section III	-	Licensing... ..	Page 9
Section IV	-	Solid Waste Storage and Disposal.....	Page 16
Section V	-	Farm Disposal of Solid Waste.....	Page 18
Section VI	-	Organized Collection.....	Page 18
Section VII	-	Collection and Transportation of Solid Waste	Page 19
Section VIX	-	Solid Waste Disposal by Sanitary Landfill.....	Page 20
Section X	-	Transfer Stations.....	Page 20
Section XI	-	Solid Waste Disposal by Composting.....	Page 20
Section XII	-	Littering... ..	Page 20
Section XIII	-	Special Materials	Page 21
Section XIV	-	Mandatory Solid Waste Collection Recyclable Material Separation.....	Page 23
Section XV	-	Antiscavenging... ..	Page 24
Section XVI	-	Rates and Charges for Solid Waste Management	Page 24
Section XVII	-	Enforcement and Inspection... ..	Page 26
Section XIII	-	Violations and Penalties	Page 26
Section XIX	-	Variances	Page 29
Section XX	-	Nonconforming Sites, Facilities, and Collection Services	Page 29
Section XXI	-	Additional Requirements, Waivers	Page 29
Section XXII	-	Severability	Page 29
Section XXIII	-	Interpretation, Purpose & Conflict	Page 30
Section XXIV	-	No Consent	Page 30
Section XXV	-	Other Ordinances & Regulations.....	Page 30
Section XXVI	-	Repealer.....	Page 30
Section XXVII	-	Indemnification.....	Page 30
Section XXVIII	-	Effective Date.....	Page 31
Signature Page	-		Page 31

COTTONWOOD COUNTY SOLID WASTE ORDINANCE

An ordinance authorizing and providing for County Solid Waste Management, establishing powers and duties in connection therewith, establishing standards for and regulating solid waste management operations within the County of Cottonwood, requiring a license for the establishment and use of a solid waste management operation; establishing requirement for certain facilities on a disposal site, for control of special solid wastes, and those waste abatement programs as defined by SCORE legislation; determine embodying minimum standards and requirements established by regulation of the Minnesota Pollution Control Agency; providing for enforcement of said requirements; requiring a performance bond for solid waste disposal facilities; and imposing penalties for failure to comply with these provisions; in purpose and object to promote the health, welfare and safety of the public and protect resources of water, air and land pursuant to Minnesota Statutes, Chapter 115, 115A, 116, 375, 400, 561.01, and 609.74.

Board of Commissioners of the County of Cottonwood hereinafter referred to as County Board, does ordain:

SECTION I. DEFINITIONS

Unless specifically altered, terms and abbreviations used in this ordinance shall be interpreted in a manner consistent with Minnesota Statutes, Chapter 115, 116, and 400, and regulations of the Agency which have been or hereafter may be adopted under those provisions. Terms and abbreviations used herein which are not specifically defined by law shall be construed in accordance with the context and professional usage.

Subd. 1 “Agency” is the Minnesota Pollution Control Agency.

Subd. 2 “Air Contaminant” is the presence in the outdoor atmosphere of any dust, fumes, mist, vapor, gas or gaseous, fluid or particulate substance differing in composition form, or exceeding in concentration, the nature components of the atmosphere.

Subd. 3 “Air Pollution” is the presence in the outdoor atmosphere of any air contaminants or combination thereof in such quantity, of such nature and duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.

Subd. 4 “Appliance” (See “Whitegoods”)

Subd. 5 “Appliance Storage Facility” is a facility for the storage of three or more inoperable appliances.

Subd. 6 “Backyard Composting” is the composting of household putrescible and yard wastes generated by a residential dwelling or adjoining property.

Subd. 7 “Board” is the Cottonwood County Board of Commissioners.

Subd. 8 “Canister System” is one or more commercial solid waste storage containers (such as “dumpsters”) located to function as an intermediate disposal facility, and which is serviced on a regular basis by a public or private hauler.

Subd. 9 “Cell” is compacted solid wastes that are enclosed by cover material in a land disposal site by a public or private hauler.

Subd. 10 “Closure” is the period after which solid waste are no longer accepted during which time the permittee completes the required procedures as regulated by the Minnesota Pollution Control Agency.

Subd. 11 “Collection” is the aggregation of solid waste from the place at which it is generated which includes all activities up to the time the waste is delivered to a waste facility.

Subd. 12 “Collector/Commercial Hauler” is any person who owns, operates, or leases vehicles for the purpose of collection and transport of any type of solid waste.

Subd. 13 Commercial Hauler” is an individual, partnership or corporation that for a fee transports recyclables, mixed municipal solid waste or other waste. Also called a collector.

Subd. 14 “Construction Debris” is waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of building and roads.

Subd. 15 “County” is any department or representative of the County who is authorized by this ordinance, or otherwise by the County Board, to represent the County of Cottonwood in the enforcement or administration of this ordinance.

Subd. 16 “Cover Material” is the material that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness and compatibility. Suitable cover materials include, but are not limited to, sandy loam, loam, sandy clay loam, silty clay loam, clay loam, sandy clay, and loamy sand.

Subd. 17 “Daily Cover” is the cover that spread and compacted on the top and side slopes of compacted solid waste at least at the end of each operating day in order to control vectors, fire infiltration and erosion in addition to assure an aesthetic appearance.

Subd. 18 “Demolition Waste” is inert material that includes earthen fill, boulders, rock and other materials normally handled in construction operations but does not include solid waste, hazardous or toxic waste, recyclables or materials possessing usual or anticipated chemical or biological action.

Subd. 19 “Designation” is a requirement by the county that all or any portion of the mixed municipal solid waste that is generated within its boundaries, or any service area thereof, be delivered to a processing or disposal facility identified by the county.

Subd. 20 “Department” is the Cottonwood County Waste Management Department.

Subd. 21 “Dump” is an unpermitted land disposal site at which solid waste is disposed of in a manner that does not protect the environment, is susceptible to open burning and is exposed to the elements, flies, rodents, and scavengers.

Subd. 22 “Facility” is the land, structure monitoring devices and other improvements on the land use for monitoring, treating, processing, storing or disposing of solid waste, leachate or residual from solid waste processing or the processing of compostables, recyclables or household hazardous waste.

Subd. 23 “Farm” is a parcel of land located in an Agricultural Zoning District as defined by the Cottonwood County Zoning Ordinance used for the production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to people, including but not limited to: forages and sod crops, grains and seed crops, dairy products, poultry products, livestock including beef cattle, sheep, seine, horses, ponies, mules, goats or any mutations or hybrids thereof including the breeding and grazing of any of such animals, bees and apiary products, fur animals, trees and forest products.

Subd. 24 “Garbage” is discarded material resulting from the handling, processing, storage, preparation, serving, and consumption of food.

Subd. 25 “Ground Water” is the water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined or perched conditions in near surface unconsolidated sediment or regolith, or in rock formations deeper underground. The terms ground waste shall be synonymous underground water.

Subd. 26 “Hauler” is any person who owns, operates or leases vehicles for the purpose of collection and transportation of any type of solid waste.

Subd. 27 “Hazardous Waste” is any refuse or discarded materials or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled in a routine waste management technique because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological or physical properties. Categories of hazardous waste materials includes, but not limited to, explosives, flammables, oxidizers, poisons, irritants, and corrosives. Hazardous waste does not include sewage sludge, and source materials, special nuclear waste or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Subd. 28 “Household Hazardous Waste” is any waste generated from household activity that exhibits the characteristics of, or that is listed as, hazardous waste under agency rules, but does not include waste from commercial activities that is listed as generated, stored, or present in a household. Household Hazardous Waste include, but not limited to, paints, solvents, cleaners, pesticides, herbicides, paint thinner, drain opener, varnishes, stains, and adhesives.

Subd. 29 “Incineration” is the process by which solid wastes are burned for the purpose of energy recovery or volume and weight reduction in facilities designed for such use.

Subd. 30 “Industrial Waste” is all solid waste generated from an industrial or manufacturing process and solid waste generated from non-manufacturing activities such as service and commercial establishments. Industrial waste does not include office materials, restaurant and food preparation waste, discarded machinery, demolition debris waste or household refuse.

Subd. 31 “Intermediate Disposal Facility” is a facility for the temporary collection, storage, reduction, recycling, or processing of solid waste prior to final disposal.

Subd. 32 “Junk Yard” is land or buildings where solid waste, discarded or salvaged materials are brought, purchased, sold, exchanged stored, cleaned, packed, disassembled or handled, including but not limited to, scrap metal, rags, paper, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other vehicles provided further that the storage of three (3) or more inoperative and/or unlicensed motor vehicles for a period in excess of three (3) months shall also be considered a junk yard. This shall exclude recycling facilities.

Subd. 33 “Land Disposal Site” is any tract or parcel of land including any construction facility at which solid waste is disposed of in or on the land.

Subd. 34 “Land Pollution” is the presence in or on the land of any solid waste in such quantity, of such nature or duration, and under such conditions as would affect injuriously any waters of the state, create air contaminants or cause air pollution.

Subd. 35 “Licensee” is a person who has been issued a license by the County Board for solid waste management purposes pursuant to this ordinance.

Subd. 36 “Littering” is the unlawful placing of any portion of solid waste in or on public or private lands, shore lands, roadways, or waters.

Subd. 37 “Mixed Municipal” is garbage refuse and rubbish from residential, commercial, industrial and community activities which is generated and collected in aggregate, but does not include materials collected, processed and disposed of as separate waste streams.

Subd. 38 “Monitoring Point” is any installation or location used to determine the quality or physical characteristic of ground water, surface water or water in either the unsaturated or saturated zone.

Subd. 39 “Multi-County Mixed Waste” is solid waste that is collected outside the County and then transported to this County and mixed with solid waste from the County. Excluded from this definition is one (1) cubic yard per vehicle per load, or, ten (10) percent of the vehicles solid waste load, whichever is less.

Subd. 40 “Nonconforming Solid Waste Disposal Site or Facility” is a public or private solid waste disposal site or facility that was lawfully in existence before August 8, 1975.

Subd. 41 “Nonputrescible” is solid waste other than garbage, hazardous waste, industrial waste, mixed municipal, mixed municipal solid waste, sludge or other special wastes.

Subd. 42 “Non-recyclable Materials” is solid waste, refuse, construction debris, and materials for which there is no appropriate market that will accept these materials for recycling.

Subd. 43 “Office” is the Office of Waste Management.

Subd. 44 “Open Burning” is burning any matter whereby the resultant combustion products are emitted directly to open atmosphere without passing through a stack, duct or chimney which meets Minnesota Pollution Control Agency standards.

Subd. 45 “Operation” is any site, facility, or activity relating to solid waste management.

Subd. 46 “Operator” is the person responsible for the overall operation of a facility.

Subd. 47 “Organized Collection” is a system for collecting solid waste in which a specified collector, or member of an organization of collectors, is authorized to collect from a defined geographic service area and areas some or all of the solid waste that is released by generators for collection.

Subd. 48 “Owner” is the person or persons who own a facility or part of a facility.

Subd. 49 “Permittee” is the person, firm, corporation or origination who has been given authority by the County Board of the Department to carry out any of the activities for which a permit is required under the provisions of this Ordinance.

Subd. 50 “Person” is any human being, any municipality or any other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other business organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity.

Subd. 51 “Pollutant” has the meaning given in Minnesota Statutes, Chapter 115A.

Subd. 52 “Post Closure” is the period after closure during which the long term care, maintenance, and monitoring of a site or facility takes place.

Subd. 53 “Processing” is the treatment of solid waste, household hazardous waste and recyclables after collection and before disposal. Processing includes, but not limited to, packaging, volume reduction, storage, separation, exchange, physical, chemical or biological modification and transfer from one waste facility to another.

Subd. 54 “Putrescible Material” is solid waste which is capable of becoming rotten or which may reach foul state of decay or decomposition.

Subd. 55 “Recycling Materials” is materials such as non-residential corrugated cardboard, non-residential office paper, newsprint, glass containers, tin containers, polyethylene terephthalate and high density polyethylene plastic, aluminum containers, that are separated from solid waste for the purpose of recycling. These materials and other materials are considered to be recyclable materials if appropriate markets exist that will accept these recyclable materials. Refuse derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subd. 56 “Recycler” is any commercial or business established to collect, transport, process, store, redeem, or dispose of recyclables.

Subd. 57 “Recycling” is the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subd. 58 “Recycling Facility” is any facility, permanent or mobile, which recycles or accepts waste for the purpose of recycling.

Subd. 59 “Refuse” is Putrescible and non-putrescible solid waste, including, but not limited to, garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, market and industrial solid wastes, and sewage treatment wastes which are in a dry form.

Subd. 60 “Resource Recovery” is the reclamation for sale or reuse of materials, substances, energy, or other products contained within or derived from waste.

Subd. 61 “Rubbish” is nonputrescible solid waste, including, but not limited to ashes and combustible and non-combustible waste, such as paper, cardboard, tin cans, yard clippings, wood, glass bedding, crockery, or litter of any kind.

Subd. 62 “Runoff” is the portion of precipitation that drains from an area as surface flow.

Subd. 63 “Sanitary Landfill” is an area of land which is, or could be, used for the disposal of solid waste without creating pollution of land, water, or air, hazardous to public health or safety, or public nuisance by utilizing the principles of engineering to confine the solid waste to the smallest practical volume and to cover it with at least six inches of cover material at the conclusion of each day’s operation, or at more frequent intervals as may be necessary.

Subd. 64 “Scavenging” is the uncontrolled removal of solid waste or recyclables from the solid waste system.

Subd. 65 “Service Area” is a solid waste management service area established by the County Board pursuant to Minnesota Statutes Section 400.08, Subd. 2, as needed.

Subd. 66 “Shoreland” is land located within the following distances from the ordinary high water elevation of public waters: (a) land within 1,000 feet from the normal high watermark of a lake, pond, or flowage; and (b) land within 300 feet of a river or stream or the landward side of a floodplain delineated by ordinance on such river or stream, whichever is greater.

Subd. 67 “Solid Waste” is garbage, refuse, and other discarded solid waste materials, including solid waste materials resulting from industrial, commercial, agricultural operations, residential uses, and community activities, but does not include earthen fill, boulders, rock and other materials normally handled in construction operations, animal waste used as fertilizer, any permitted material disposed of as soil amendment, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, wastewater effluent, dissolved materials, suspended solids in irrigation return flows or other water pollutants.

Subd. 68 “Solid Waste Collection Services” is the collection and transportation of solid waste generated in Cottonwood County by any of the following:

- 1) a hauling contracted by the generator
- 2) a demolition debris hauling service that transports solid waste, separated or mixed with demolition debris, or
- 3) a service that hauls recyclables.

The self collection and transportation of solid waste by a single family resident (1 unit) is exempt from this definition. However, collection from multiple family residences is included in this ordinance.

Subd. 69 “Solid Waste Disposal Facility” means any intermediate or final site, equipment or building operated as a sanitary landfill, incinerator, transfer station, composter and other operations as defined by this ordinance, the agency, and the County.

Subd. 70 “Solid Waste Management Facility” means a sanitary landfill, or intermediate disposal facility.

Subd. 71 “Solid Waste Management System” means the storage, collection and removal of solid waste from public and private property; its transportation to intermediate or final disposal facilities and other solid waste operations or services.

Subd. 72 “Source Separated Materials” means materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in manufacturing process.

Subd. 73 “Special Wastes” means nonhazardous solid waste requiring management other than that normally used for mixed municipal solid waste.

Subd. 74 “State” is the State of Minnesota.

Subd. 75 “Tipping Fee” means the fee charged to collectors and citizens for waste delivered to the facility.

Subd. 76 “Toxic or Hazardous Waste” means substances, whether in liquid, gaseous or solid form, which when collected, stored, transported, or disposed of, may be acutely toxic to humans, or other animals, or plant life, or be directly damaging to property including, but not limited to, pesticides, acids, caustics, pathological waste, radioactive materials, flammable or explosive materials, and similar noxious substances.

Subd. 77 “Transfer Station” means an intermediate solid waste transfer facility in which solid waste is collected from any source and is temporarily deposited to await transportation to another solid waste transfer management facility.

Subd. 78 “Unacceptable Waste” is solid waste which does not have collection, processing or disposal capabilities within Cottonwood County. Such waste includes, but not limited to, explosives, hospital, pathological and biological waste, commercial and industrial hazardous waste, as regulated by federal, state and local laws and chemicals and radioactive materials.

Subd. 79 “Waste Monitoring System” is a system of wells, lysimeters or other mechanisms used to obtain representative samples of both underground water and surface water where required in the vicinity of a land disposal site.

Subd. 80 “Waste Tire” means a pneumatic tire or solid tire for motor vehicles that has been discarded or no longer used for its original intended purpose because of wear, damage, or defect.

Subd. 81 “Waste Tire Collection Site” means a licensed waste facility used for the storage of waste tires prior to their transport to a waste tire processing facility.

Subd. 82 “Waste Tire Processing Facility” means a licensed waste facility used for the shredding, slicing, processing or manufacturing of useable materials for waste tires, and may include temporary storage activity. Processing does not include the retreading of waste tires.

Subd. 83 “Water Pollution” means the contamination of any waters of the state so as to create a nuisance or render such waters unclean, noxious or impure, so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, commercial or industrial use, or to animals, birds, fish, or other aquatic life.

Subd. 84 “Water Table” is the surface of the ground water at which the pressure is atmospheric. Generally, this is the top of the saturated zone.

Subd. 85 “Waters of the State” means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, and all other bodies or accumulations of water, surface or underground, natural or artificial public or private, which are contained within, flow through, or border upon the state or any portion thereof.

Subd. 86 “Wetcell” is a lead acid battery.

Subd. 87 “White Goods” means major appliances. Major appliances include, but not limited to, clothes washers and dryers, dishwashers, hot water heater, garbage disposer, microwave ovens, trash compactors, conventional ovens, ranges and stoves, humidifiers and dehumidifiers, air conditioners, refrigerators, and freezers.

Subd. 88 “Yard Waste” means organic plant material collected from yards. These materials include leaves, grass, clippings, weeds, vines, and stalks.

SECTION II ADMINISTRATION

Subd. 1. Solid Waste Officer. The Cottonwood County Solid Waste Officer is appointed by the County Board.

Subd. 2 Authority. The duties and responsibilities of the Solid Waste Officer under this ordinance are hereby established and delegated by the County Board. The solid Waste Officer shall have all necessary authority to implement and carry out the provisions of this ordinance, including, but not limited to, the following:

- (a) To review and consider all license applications and supporting materials which are referred to him for operations within the County, and, after consideration, to recommend in writing, with documentation, to the County Board that a license may be granted or denied.
- (b) To inspect operations to determine compliance with this ordinance and to investigate complaints about violations of this ordinance.
- (c) To recommend to the County Attorney what legal proceedings be initiated against a person to compel compliance with the provisions of this ordinance or to abate or control an operation not in compliance with this ordinance.
- (d) To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including, but not limited to, methodology, chemical and physical considerations, and engineering.
- (e) To advise, consult, and cooperate with public and other governmental agencies in furtherance of the purpose of this ordinance.
- (f) To plan, implement and administer all County operated waste abatement facilities.
- (g) To implement all programs as proposed by the approved, and as amended, County Solid Waste Plan.

SECTION III LICENSING

Subsection A – Solid Waste Disposal Facilities

Subd. 1. Unless otherwise provided by this ordinance, no person shall operate a solid waste disposal facility nor allow, permit, or cause his land to be used as a solid waste disposal facility without a valid license issued by the Solid Waste Officer. In addition to other requirements listed herein, applicants for licenses must meet all requirements stated in the rules and statutes noted below to the satisfaction of the Solid Waste Officer:

1. Operation of Mixed Municipal Land Disposal Facilities – MN. Rules Ch 7035
2. Operation of Demolition Waste Disposal Facilities – MN. Rules Ch. 7035
3. Operation of Mixed Municipal Incinerator Facilities – MN. Rules Ch. 7005 and 7035
4. Operation on Composting and Co-composting Facilities – MN. Rules Ch. 7035
5. Operation of Recycling Facilities – MN. Rules Ch. 7035
6. Operation of Transfer Station Facilities – MN. Rules Ch. 7035
7. Solid Waste Storage – MN. Rules Ch. 7035

8. Waste Tires – MN. Rules 7035, 9220, and MN Stat. 115A
9. Collection and Transportation of Solid Waste – MN. Rules 7035

Subd. 2. Applicants for a license shall not commence any operation until the license application has been approved by the County Board and a license granted by the Solid Waste Officer. A waste facility operating license shall not be issued until facility construction has been completed in compliance with this ordinance, and the approved plans, and has been approved by the Solid Waste Officer. Following the review of the application by the Solid Waste Officer, the County Board shall approve or deny the license or request additional information as outlined in this ordinance.

Subd. 3. A non-transferable license issued by the Solid Waste Officer shall be required for the operation of solid waste facilities and other activities involving solid waste. A license may be waived under the provision of this ordinance.

Subd. 4. Unless otherwise provided by the Solid Waste Officer, the license year for solid waste sites, facilities, operations and activities shall be from January 1 through December 31.

Subd. 5. To obtain a license to operate a solid waste facility, an individual must first complete an application and provide all of the following information.

- A. Complete plans, specifications, design data, long-range land use plan, if applicable, and proposed operating procedures prepared by State of Minnesota registered professional engineer.
- B. The applicant shall submit proof that the municipal or township governing body, in which solid waste facilities, operations or activities are located, has considered the establishment of solid waste facilities, operations, or activities with respect to zoning and other application regulations.
- C. Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this ordinance shall be set by the County Board, naming the County as obligor with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Minnesota as sureties. The condition of such bond shall be that if the principal fails to obey any of the requirements, or do any acts required by this ordinance, in the operation of waste facility or activity, or if, for any reason, ceases to operate or abandons the waste facility or activity, and the County is required to expend any monies or expand any labor or material to restore the facility to the condition and requirements provided by ordinance, the obligor and the sureties on its bond shall reimburse the County for any and all expenses incurred to remedy the failure of the principal to comply with the terms of the ordinance, and the obligor and its sureties will indemnify and save the County harmless from all losses, costs and changes that may occur to the County because of any default of the obligor under the terms of this license to operate and the ordinances of the County. The performance bond shall be subject to cancellation by the surety at any time only upon giving one hundred twenty (120) days prior written notice of cancellation to the County. In lieu of part of said bond, the licensee may provide evidence of financial assurance in a form acceptable to the County Board to be used to bring the facility or activity into compliance with said requirements.
- D. The licensee shall furnish the county certificates of insurance issued by a company duly licensed to operate within the State of Minnesota covering public liability, including general liability, automobile liability, completed operation liability, with bodily injury

limits in the amounts set by the County Board. In addition, the license shall provide evidence of worker's compensation coverage in the required statutory amounts.

- E. Evidence of compliance with all state and federal laws including necessary permits or licenses for operation of a solid waste disposal facility.

Subsection B – Collection and Transportation of Solid Waste

Subd. 1. Unless otherwise provided by this Ordinance, no person shall operate a solid waste collection service within the county without a valid license issued by the Solid Waste Officer. The Solid Waste Officer shall not issue a license until the applicant complies with all of the following requirements:

- A. Filing of an application for a solid waste collection and transportation license upon a form provided by the Solid Waste Officer. (Application Form-See Appendix A).
- B. The solid waste collection service will indemnify, defend and save harmless the County, their agents, elected officials and employees from all claims, damages, losses, liabilities, omission on the part of the hauler or its contractors, agents, servants or employees in the performance of, or in relation to, any of the work or services to be performed or finished by the hauler under the terms of this Contract.
- C. The solid waste collection service shall obtain and keep in force at all times during this Contract the following insurance policies:
 - 1. The licensee shall furnish the county certificates of insurance issued by a company duly licensed to operate within the State of Minnesota covering public liability, including general liability, automobile liability, completed operations liability with bodily injury limits in the amount set by the County Board. In addition, the license shall provide evidence of worker's compensation coverage in the required statutory amounts.
 - 2. A performance bond with sufficient sureties in the penal sum to be determined by the Solid Waste Officer and approved by the County Board. Cottonwood County will be named as an obligee with sufficient sureties duly licensed and authorized to transact business in the State of Minnesota as sureties. The condition of the bond shall be that if the principal fails to comply with any requirements, or fails to perform any acts required of the operation, or causes to operate or abandons the operation, the sureties will reimburse the County for any monies owed, and save and hold harmless the County from all losses, costs, and changes that may be incurred because of the operator's unwillingness or inability to operate in compliance with the terms of this ordinance. The amount of this performance bond will be determined by the Solid Waste Officer and approved by the County Board. Proof of the possession of this bond will be submitted to the Solid Waste Officer and subject to the approval of the County Attorney prior to the issuance of the license. *Under special circumstances and with approval of the Board a letter of credit from an banking institution may be accepted in lieu of a bond.*

- D. The solid waste collection service agrees to provide collection in a timely manner as described in the following:
1. The solid waste collection service will be responsible for promptly reporting actual or potential delays in its collection schedule. If a delayed collection will occur and the collection service can use alternative methods to make the collection within 24 hours, no violation will be recorded. If the service cannot provide collection within 24 hours, it must notify the Solid Waste Officer directly. From the time of notification, the solid waste collection service will have an additional 24 hours to make the collection.
 2. Customer Complaint: The solid waste collection service has 24 hours to make the collection upon notice from the Solid Waste Officer of the customer complaint.
- E. Collectors of solid waste from residential customers must change from collection on the basis of the volume or weight of the waste collected. For single family customers, the collector must offer a minimum one (1) can or one (1) bag rate. The can or bag shall be no larger than 30 gallons. Household that recycle shall not be charged a higher fee than those that do not recycle. Failure to offer volume based rates shall be grounds for license termination or denial of license renewal.
- F. Solid waste collected in the County must be disposed of at the Cottonwood County Landfill or such waste disposal facility designated through resolution by the County Board. A license will not be issued to those hauling to undesignated sites.
- G. Submission of vehicle specifications: All vehicles to be used for solid waste collection and transportation shall have leak-proof bodies of easily cleanable construction, completely covered with metal or heavy canvas, and shall be subject to approval and periodic inspection by the Solid Waste Officer.
- H. The solid waste collection service, on a form provided, will provide to the Solid Waste officer a report of quantities and final disposal sites of recyclables and solid waste hauled during the licensing year. Reports will be required twice per year, once by July 15 showing first 6 months totals and again by January 15 showing the last 6 months totals. Quantities will be reported in tonnages and tallied by type (e.g newsprint, paper, plastic, ferrous and nonferrous metals, glass, corrugated, white goods, etc.). Omission of the annual report shall be grounds for the termination of the license or denial of license renewal.
- I. Payment of all tipping fees shall be due by the 20th of the month following the month in which the fees were accumulated. Non-payment of tipping fees by this date will result in immediate suspension of the license, unless late payment has prior approval of the County Treasurer. The unpaid balance will be subject to a monthly 1.5% interest fee.
- J. Payment of an annual vehicle permit fee: A vehicle permit fee shall be established by the County Board and adopted by resolution. The vehicle permit fee shall be established for a calendar year and if no new permit fee is adopted in any given year the permit fee from the previous year shall remain in effect. A copy of the current permit fee shall be kept on file in the office of the County Auditor. Nonpayment of the annual vehicle permit fee shall be grounds for the termination of the license or denial of license renewal. The County will notify all permit holders by December 23rd of each year if there are new fee schedules.

Each license fee must be paid by December 31st to receive a vehicle permit for the next calendar year.

- K. Accompanying the application for licensure each calendar year, the solid waste collection service will also submit a Minnesota State Highway Patrol vehicle inspection checklist for each registered vehicle. Omission of the annual inspection checklist shall be grounds for the termination of the license or denial of the license renewal.
- L. The applicant must demonstrate to the County Board that it has financial and operational capability to properly collect, transport, and dispose of all solid waste. Such determination shall be at the sole discretion of the County Board.
- M. A service fee for solid waste management services may be established by the County Board by resolution. The solid waste collection service will collect said fee and be responsible for payment to the County concurrently with, and in addition to, tipping fees. The amount of service charges will be established by resolution for each calendar year. If no new service fee is adopted in any given year, the service charge from the previous year shall remain in effect. A copy of the service fee shall be kept on file in the office of the County Auditor. Nonpayment of the monthly collection service charge shall be grounds for the termination of the license or denial of license renewal.

Subsection C – License Fees

Subd. 1. Approval of an application to the County Board for a solid waste management facility shall be contingent upon the payment of the County of a license fee in the amount specified by resolution and adopted by the County Board. Such license fees are hereby found to be equal to the cost to the County for processing the license applications and administering and enforcing this ordinance with respect to said license. The fees prescribed shall be paid by a license applicant with respect to each facility maintained by him. Solid waste collection service license fee shall be paid annually as a condition for license renewal. Solid waste collection service charges will be paid monthly as a condition for license renewal. Nonpayment of the required fee shall be grounds for the termination of a license or denial of a license renewal. Fees shall be paid to the County Treasurer prior to issuance or renewal of a license.

The license fee for a solid waste management facility shall be established for a calendar year and, if no new license fee is adopted in any given year, the license fee from the previous year shall remain in effect. A copy of the current license fee shall be kept on file in the office of the County Auditor.

Subd. 2. Approval of an application for a license for solid waste collection service shall be contingent upon the solid waste collection service collecting any service charges established by resolution pursuant to Section XVII of this Ordinance. In addition to collecting said fees, the solid waste collection service shall allow the Solid waste officer to inspect the collector's records of the service charge collected for the purpose of doing an audit of said records. In addition, said solid waste collector shall be required to weigh all solid waste collected in the County at a scale approved by the Solid Waste Officer to enable the Solid Waste Officer to verify that all charges required to be collected are remitted to the County. Nonpayment of the service charge collected concurrently with the tipping fees shall be grounds for termination of a license or denial of a license renewal. Also, failure to allow inspection of the records for purposes of auditing the charges collected or failure to weigh all loads at an approved scale shall also be grounds for termination of a license or denial of a license renewal.

Subd. 3. Approval of an application to the County Board for a license for solid waste collection service shall be contingent upon payment to the County of a vehicle permit fee in the amount specified by resolution and adopted by the County Board. The fees prescribed shall be paid by a licensed applicant for each vehicle operated by him. Nonpayment of the annual vehicle permit fee shall be grounds for the termination or denial of permit renewal. Fees shall be paid to the County Treasurer prior to issuance or renewal of a license. A copy of the resolution will be kept in the office of the County Auditor.

Subsection D – Additional Conditions of Licensure

Subd. 1. All submittals to the State during the State permitting and/or licensing process for solid waste facilities and operations shall also be submitted to the Solid Waste Officer.

Subd. 2. The applicant shall submit additional data requested by the Solid Waste Officer. The County Board may wave a requirement for submitting certain information under the provisions of this ordinance.

Subd. 3. Submission of false information may constitute grounds for denying a license or license renewal, or suspension by revocation of an issued license.

Subd. 4. License applications will be reviewed by the Solid Waste Officer to determine compliance with the requirements of Subd 6 and the Cottonwood County Solid Waste Plan. The applicant will be notified of any deficiencies within 30 days of the application. Within 30 days after receipt of a complete application, the Solid Waste Officer will present application to the County Board with a recommendation for approval or denial of the license.

Subd. 5. Unless otherwise provided by the Solid Waste Officer, issuance or renewal of any license shall be contingent upon the owner of the site facility, or the operator, or both, providing financial assurance for the closure, post-closure maintenance and monitoring of the site or facility. Use of the financial assurance will be limited to the site or facility for which it was provided.

Documentation submitted with the application for Solid Waste Officer approval shall include funding procedures, a description of the funding method, the value of the funding, and inflation adjusted cost estimate which assures that the closure and post-closure activities at the site of facility take place. The amount of financial assurance shall be equal to or exceed the total estimated post-closure costs specified in the approved post-closure plan.

Subd. 6. The County Board will, by resolution, establish fees, including fees for the applications, internal permit, renewal permit, and such other fees as may be necessary for the administration of this ordinance. The County Board may waive these fees for any political subdivision applying for a solid waste permit.

Subd. 7. The County Board will make final determination as to whether to grant the license. Any license granted by the County Board will be valid for one year unless surrendered, suspended or revoked prior to that time.

SECTION IV. SOLID WASTE STORAGE AND DISPOSAL

Subd. 1. The owner, lessee and the occupant of any single or multi-family dwelling, business establishment, industry and all other premises, shall be responsible for the satisfactory storage of all solid waste accumulated at that premise, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection, transportation, and disposal of all solid waste.

Subd. 2. Putrescible waste, including, but not limited to garbage, shall be stored in durable, rust-resistant, nonabsorbent, water-tight, rodent-proof, and easily cleanable containers, with close-fitting, fly-tight covers having adequate handles to facilitate handling; or other types of containers acceptable to the solid waste collection service which comply with agency regulations, this ordinance, and approved by the

Solid Waste Officer. The size and allowable weight of the container may be determined by the solid waste collection service as approved by the Solid Waste Officer.

Subd. 3. Solid waste must be stored in durable containers or as otherwise provided in this ordinance. Where putrescible wastes are stored in combination with non-putrescibles waste, containers for the storage of the mixture shall meet requirements for putrescible waste containers.

Subd. 4. The following items are banned for final disposal at the solid waste disposal facility in Cottonwood County and therefore they shall not be placed in Mixed Municipal Solid Waste for collection but disposed of through a County or Agency approved facility:

- Dry Cell Batteries containing mercury, silver, or nickel-cadmium, or sealed lead-acid batteries that were purchased for use or used by a government agency or an industrial, communication, or medical facility.
- Household Hazardous Waste (by definition in Sec. 1)
- Lead Acid Batteries (vehicle batteries)
- All Used Oil and commercially generated oil filters
- White Goods (major appliances)(by definition in Sec.1)
- Waste Tires (by definition in Sec. 1)
- Yard Waste (by definition in Sec. 1)

The Cottonwood County Board of Commissioners will, by resolution, ban additional materials as dictated by the state regulations.

Subd. 5. Toxic or hazardous wastes shall be stored in durable, leak-proof containers and shall be “painted and marked” so as to easily identify the container as a toxic or hazardous waste, (e.g. a yellow band that encircles, at a minimum, the center one-third (1/3) of the container) consistent with federal and state regulations. All previous lettering and numbering will be obliterated from the container. The container will be marked with the yellow band, or other easily identified area, using a permanent makers as follows: The chemical name of the waste , the UN or NA Number, the contaminants present by percentages, the start date, the generators name and address and the generators EPA or agency identification number. Such wastes shall be stored in a safe location, accompanied with a description of the chemical composition of the substance stored within the container, and be in compliance with the storage and transportation requirements of agency regulations, Minnesota Department of Transportation regulations, federal and state regulations and this ordinance. Vehicles shall be properly placarded and be accompanied with a proper shipping manifest. In any case, a generator of hazardous waste must comply with all federal and state laws and regulations applicable to the generation, storage, transportation, processing and disposal of hazardous waste (whichever laws and regulations are more stringent).

Subd.6. All containers for the storage of solid waste shall be maintained in such a manner as to prevent the creation of a nuisance or unsanitary condition.

Subd. 7. Solid waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a manner which is pollution-free, nuisance-free, and satisfactory to the Solid Waste Officer.

Subd. 8. Solid waste shall not be stored outside a private residence, in a residential or urban rural setting, for more the one (1) month without the written approval of the Solid Waste Officer. Solid waste shall not be stored on public, commercial or business property for more than two (2) weeks without the written approval of the Solid Waste Officer. Non-putrescible waste suitable for recycling shall not be stored on public or private property in a manner which creates a nuisance, blight, or health hazard. Compostables shall not be stored on public or private property in a manner which creates a nuisance, blight, or health hazard.

Subd. 9. Solid Waste shall not be stored or disposed of in containers specifically designed for the collection or deposit of recyclables.

SECTION V. FARM DISPOSAL OF SOLID WASTE (Dept. of Ag. – 17.35)

Subd. 1. A person who owns or operates land used for farming may bury, or burn, solid waste generated from a person's household located on the farm land or as part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on the land used for farming which it was generated.

Subd. 2. This exemption does not apply if regularly schedule pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the County Board.

SECTION VI. ORGANIZED COLLECTION (115A.94)

Subd. 1. on or before January 1, 1992, all cities are required to organize their solid waste collection in accordance with Minnesota Statue 115A-.94 and are required to conform to the following provisions of this Organized collection Ordinance:

- A. Cities shall organize collection as municipal service or by ordinance, franchise, license, negotiated or bided contract, or other means, using one or more collectors or an organization of collectors.
- B. Recycling collection will be exempt from this organized collection ordinance.
- C. Cities shall invite and employ the assistance of interested persons, including persons licensed to operate solid waste collection services in the County, in developing plans and proposals for organized collection.
- D. All contracts will require that all solid waste collected shall be required to be disposed of at the Cottonwood County Sanitary Landfill or a County designated disposal facility.
- E. All contacts shall conform to all provisions of this ordinance, including, but not limited to: Mandatory Solid Waste Collection, Mandatory Source Separated Recycling, and Volume or Weight based fees.
- F. Cities shall give the notice required by Minnesota Statue 115A.94, Subd.4. on or before January 1, 1992.

Subd. 2. All rural designed service areas will be organized by the township or townships in which the service area is located, and are subject to the same provisions as the cities under Subd. 1.

SECTION VII COLLECTION AND TRANSPORTATION OF SOLID WASTE

Subd. 1. Unless otherwise provided in these regulations, the owner, lessee and occupant of any premises, business established or industry is responsible for the removal of solid waste from their premises, business establishment or industry, and shall collect and remove all solid waste accumulated at the premise, business establishment or industry; and transport or hire a licensed collection service to haul it to the Cottonwood County Sanitary Landfill or a County designated disposal site. The solid waste

collection service shall be responsible for the collection and transportation of all solid waste for which it has been contracted to collect and remove. All solid waste collected in the County shall be transported and deposited at the Cottonwood County Sanitary Landfill or at the solid waste disposal facility that is designated through resolution by the County Board.

Subd. 2. Vehicles or containers used for the collection and transportation of garbage, putrescible waste, or solid waste shall be covered, leak-proof, durable and easily cleanable construction. These shall be cleaned regularly to prevent nuisances, pollution or insect breeding, and shall be maintained in good repair.

Vehicle or containers shall be loaded and moved in such a manner the content will not fall, leak or spill there from, and shall be covered to prevent blowing of materials. Where spillage does occur, the material shall be picked up immediately by the solid waste collector or transporter and returned to the vehicle or container and the area properly cleaned. When the material cannot be immediately picked up or the area cleaned, the Solid Waste Officer shall be notified as described in Subd 5 (c) of this Section.

Subd. 3. Vehicle and containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed and leak proof and shall be constructed, loaded, transported and unloaded in a safe, sanitary and nuisance-free manner/ Vehicles shall be properly marked and labeled and be accompanied with a proper shipping manifest, as required by federal and state regulations and statutes.

Subd. 4. The collection and transportation of solid waste shall be performed in accordance with state rules administrated by the agency and the County.

SECTION VIII.= SOLID WASTE DISPOSAL BY SANITARY LANDFILL

A solid waste landfill shall comply with all agency permit and county license requirements and the Cottonwood County Solid Waste Management Plan. The County will not issue a license to a site out of compliance. All other methods of solid waste landfills are prohibited.

SECTION VIX SOLID WASTE DISPOSAL BY INCINERATION

A solid waste incinerator shall comply with all agency and county license requirements and the Cottonwood County Solid Waste Management Plan. The County will not issue a license to a site out of compliance. No other types of burning solid waste are allowed.

SECTION X TRANSFER STATIONS

A solid waste transfer station shall comply with all agency and county permit requirements and the Cottonwood County Solid Waste Management Plan. The County will not issue a license to a site out of compliance.

SECTION XI SOLID WASTE DISPOSAL BY COMPOSTING

A solid waste composter shall comply with all agency and county license requirements and the Cottonwood County Solid Waste Management Plan. The County will not issue a license to a site out of compliance.

SECTION XII LITTER (Waste Management Act – 115A.99)

Subd. 1. “Litter Penalties and Damages/Civil Penalty”

- A. A person who unlawfully places any portion of solid waste in or on public property or private lands, shore lands, roadways, or water is subject to civil penalty of not less than twice, nor more than five times, the amount of the cost incurred by the County, or other political subdivision, to remove, process, and dispose of the waste.
- B. The County, or the political subdivision, that incurs the cost as described in this section may bring an action to recover the civil penalty, related legal, administrative, and court costs, and damages of injury to, or pollution of, lands, roadways, or waters where the wastes were placed if owned or managed by the entity bringing the action.

Subd. 2. Civil penalties collected under this section must be deposited in the County general fund.

Subd. 3. A private person may join an action by the county or a political subdivision to recover civil penalty to allow the person to recover damages for the waste unlawfully placed on the person's property.

SECTION XIII SPECIAL MATERIALS

Subd. 1 Waste Tires – The following requirements are adopted to insure the proper handling of waste tires:

- A. Chapters 7001 and 9220 of the Minnesota Waste Tire Permitting Rules are hereby incorporated by reference.
- B. No more than ten (10) waste tires may be stored within the boundaries of any residential lot.
- C. No more than one hundred (100) waste tires may be stored on any non-residential lots except at a property licensed solid waste facility.
- D. Exceptions to subdivisions 1A and 2A may be allowed when waste tires are utilized outside the building for decorative, recreational, structural, construction or agricultural purposes where they comply with the requirements or other applicable laws or sections of this ordinance.
- E. Waste tires within one thousand (1000) feet of a residence shall be stored or utilized in a manner that prevents water from being retained in the tires.
- F. Waste tires shall not be placed, stored, left, or permitted to remain in a lake, stream, wetland, sinkhole, gully, waterways, floodplain, or shoreland.
- G. The disposal of waste tires in the land is prohibited. This does not prohibit the storage of unprocessed tires at a collection or processing facility. (115A.904)
- H. The owner of the land or premises upon which waste tires are located in violation of this ordinance shall be obligated to remove them to a licensed solid waste facility, or obtain the license required by this ordinance within one year of the effective date of this ordinance, or such later date approved by the Solid Waste Officer.

Subd. 2. Waste Appliances (115A.9561)

- A.** A person may not place major appliances in mixed municipal solid waste; or dispose of major appliances in or on land or in solid waste processing facility or disposal facility.
- B.** All waste major appliances must be recycled or reused. All major appliances will be delivered to the County appliance depot at the landfill or to a County approved appliance recycling facility. Recycling includes the removal of capacitors that may contain PCB's removal of ballasts that may contain PCB's, removal of chlorofluorocarbon refrigerant gas, and the recycling of the metals.

Subd. 3 Waste Oil

- A.** A person may not place used oil in mixed solid waste or place used oil in or on the land unless approved by the agency (115A.916).
- B.** All commercially generated oil filters will be disposed of, or recycled, according to agency rules and regulations.

Subd. 4. Household Hazardous Waste – All household hazardous waste shall be disposed of through the Lyon County Regional Household Hazardous Waste Facility or such other facility designated by the County Board.

Subd. 5. Yard Waste (115A.931)

- A.** A person may not place yard waste;
 - (1) in mixed municipal solid waste;
 - (2) in a disposal facility; or
 - (3) in a resource recovery facility except for the purpose of composting or co-composting.
- B.** Yard Waste subject to this subdivision is garden waste, leaves, lawn cuttings, weeds, and pruning.

Subd. 6. Lead Acid Batteries

- A.** A person may not place a lead acid battery in a mixed municipal solid waste or dispose of a lead acid battery. Lead acid batteries are to be taken to a lead acid battery recycling facility or returned to the vender for transport to a recycling facility. (115A.915)
- B.** A person who transports used lead acid batteries from a retailer must deliver the batteries to a lead acid battery recycling facility (115A.9152).

Subd. 7. All materials indentified under the provisions of Section IV Subd 4 as being banned from mixed municipal waste disposal facilities will be disposed of properly under the rules and regulations of the agency.

SECTION XIV MANDATORY SOLID WASTE COLLECTION/RECYCLABLE MATERIAL SEPERATION

Subd. 1. Mandatory Municipal/Collection Service Area Solid Waste Collection: By January 1, 1993 all corporate municipalities in Cottonwood County shall pass an ordinance requiring each residential unit and all commercial business to have solid waste collection. The County Board reserves the right that through resolution it may designate collection services areas outside incorporated waste collection at each residential unit and commercial business. The service area will have curbside recycling collection or alternative recycling material disposal through drop-off facilities provided by the county.

Subd. 2. Mandatory Recycling: It is mandatory to remove from all waste generated or disposed of in the County, regardless of the place of origin or place of final disposal, all materials that the County has identified as recyclables. These materials will be taken to a location provided by the County for collection or be redeemed by the generator at a County permitted or otherwise approved recycling facility.

Subd. 3. County Identified Recyclables: Recyclables include:

- a) Aluminum cans
- b) Tin food cans
- c) Glass bottles and jars
- d) Plastic bottles and jugs: HDPE#2 (small mouth bottles) & PETE#1
- e) Newspaper
- f) Corrugated Boxes
- g) Office paper
- h) Such other material which may be designated by the County Board unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

Subd. 4. Haulers: A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste within a Cottonwood County municipality or service area which:

- A. Contains any yard waste or any other material listed as banned from the landfill.
- B. Contains any material which has been designated by the County Board as subject to mandatory recycling, pursuant to this section.

Subd. 5. See Section XIV SPECIAL MATERIALS, Subd. 2 Waste Appliances

Subd. 6. Nothing in this section shall preclude persons from disposing of recyclable materials with commercial recyclers and salvage yards or with non-profit organizations, school groups, service clubs or others that conduct recycling drives for purpose of community clean-up or organizational fund drives.

SECTION XV ANTSCAVENING

Subd. 1. Ownership of the designated recycling materials set out for curbside collection or deposited in the Cottonwood County drop-off sheds shall be vested in the collector and transporter of recyclable materials designated by the County Board, or by contract through the municipalities. It shall be unlawful and offense against this section for any person, firm, or corporation other than the owner, lessee, or occupant of a residential dwelling, to pick up said materials for his/her own use.

Subd. 2. Ownership of solid waste put out for collection remains the property of the generator until collected. Ownership of the solid waste, for solid waste management purposes, then becomes the property of the County. Collectors and transporters of solid waste remain liable for the safe transport to, and disposal of, collected waste at the Cottonwood County Landfill, or other County designated waste disposal facility, and are liable for all materials collected in violation of this ordinance. It shall be permission of the generator or the Solid Waste Officer.

Subd. 3. Scavenging from the Cottonwood County landfill is forbidden. It shall be unlawful for any person to remove any material without authorization from the Solid Waste Officer or the County Board. This authority may be delegated to the operator of the landfill.

SECTION XVI RATES AND CHARGES FOR SOLID WASTE MANAGEMENT

Subd. 1 Power to establish fees This subdivision is enacted pursuant to Minnesota Statute 400.08 which grants the County the authority to impose reasonable charges for solid waste management and disposal. The purpose of this section is to establish a method of collection of such charge. Owners, lessees, and occupants of property situated within the County shall pay for solid waste management services or a solid waste collection service provided by the County, through its contractors, or licensees, according to the following schedule.

(a) User's Fees: Users of solid waste management facilities provided by the County, by and through its contractor, or by facilities licensed in the County or by those who collect solid waste from sites, premises, owners, lessees, or occupants of property situated within or outside the County, shall pay charges for the use of said facilities according to resolutions established by the County Board; and, the fee rates will be according to the definition in this ordinance of "multi-county mixed waste," and for solid waste generated within the County. Established user's fees are adopted by the County Board, by resolution, and kept on file in the office of the County Auditor. All fee charged for solid waste disposal shall be paid on a monthly basis according to the billing schedule at the facility.

(b) Service Fees: The County Board, by resolution, may establish a service charge for solid waste management services provided to the various parcels of land in the County. By such resolution, the Board may determine that such charges may be collected by an assessment levy payable with real estate taxes or by requiring as a condition of licensing that a licensee collect such service charges. All rates and charges shall uniform in their application to use and service of the same character and quantity. A copy of the current rate schedule shall be kept on file in the office of the County Auditor. If no new rates schedule for solid waste management services is adopted in any year, the rate schedule for the previous year will remain in effect. In establishing or revising the rate schedule, the Board may take into account all factors relevant to solid waste management and disposal. Such factors include, but are not limited to, the character, kind and quality of service; the character, kind and quality of solid waste; method of the deposition; the number of people served at each place of collection; and all other factors that enter into the cost of providing the service including, but not limited to, public education, recycling programs, solid waste management facilities operation and debt. If the Board by resolution determines that a licensee shall collect the service charges, the charges shall be collected in accordance with Section III subsection B Subd 1 (M). If the Board by resolution determines that service charges shall be collected by assessment, then on or before October 5th of each year, the County Board shall certify to the County Auditor all unpaid outstanding charges and a description of the lands against which charges arose. It shall be duty of the County Auditor, upon the order of the County Board, to extend assessment with interest rate provided for Minnesota Statutes Section 279.03, Subdivision 1 upon the tax rolls of the County for the taxes of the year in which the assessment is filed. For each year ending October 15th, the assessment with interest shall be carried into the taxes and payable in January the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the laws of the State. The charges, if not paid, shall become delinquent and be subject to the same penalties and the

same rate of interest as the taxes under the general laws of the State. For tax exempt properties, the County may collect unpaid charges in Small Claims Court or through such other means as maybe approved by the County Attorney. Any property owner who believes that the service charge imposed upon his property is incorrect may appeal the charge. An appeal form may be obtained at the office of the County Assessor, and shall be filed within 30 days of the mailing of the service charge statement by the County. Appeals will be processed in the same manner as other applications for abatement of current year payable real estate tax.

(c) Surcharge: The County Board, by Resolution, reserves the right to impose a surcharge. If imposed, all solid waste collection services operating within the County shall required to pay surcharge fee based on total tonnage of solid waste collected in Cottonwood County.

Subd. 2. Service Area The County has, by adoption of this ordinance, established and has determined the boundaries of solid waste management service areas to be all land within the County under Minnesota Statutes, Section 400.08, Subd 2. The Board may, by resolution, terminate, re-establish, enlarge, revise, or after the service areas so established following the procedures specified in Minnesota Statutes, Section 400.08, Subd 2.

Subd. 3 Solid Waste Management Fund for Operations Provided by the County A special account on the official books of the County is hereby created which shall be known as the Solid Waste Management Fund. Monies collected pursuant to this ordinance and all receipts from the sale of real or personal property pertaining to solid waste management systems and the proceeds of all gifts, loans, and issuance of bonds for the purpose of the system, shall be credited to the Solid Waste Management Fund. All costs of acquisition, construction, enlargement, improvement, repair, supervision, control, maintenance, and operations of the solid waste management system, the county owned recycling system, and facilities which are owned and operated by the County, but not those owned and operated by its licensee or contractor, shall be charged to the Solid Waste Management Fund.

SECTION XVII ENFORCEMENT AND INSPECTION

Subd. 1. Inspection and evaluation of waste facilities shall be made by the Solid Waste Officer or Agency in such frequency as to insure consistent compliance by the facilities with the provisions of this ordinance. Each licensee shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the date when the corrections shall be accomplished. Each licensee shall be required to allow free access to authorized representatives of the Solid Waste Department, County Board, Agency, or authorized representatives of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, or any other applicable statute, ordinance or regulations.

Subd. 2. Where the conditions imposed by any provisions of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or any other applicable law, ordinance, rule and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety and general welfare shall prevail.

Subd. 3. The Solid Waste Officer and County Board shall be responsible for the administration and enforcement of this ordinance.

SECTION XIII VIOLATIONS AND PENALTIES

Subd. 1. Misdemeanor When any person performs an act prohibited or declared unlawful, fails to act when such failure is prohibited or declared unlawful, fails to take action when such action is required, or fails to take action to abate the existence of a violation within the specified time period when ordered or notified to do so by the County, they violate the section, subdivision, paragraph, or provision of this

ordinance within which such act or action is prohibited, declared unlawful, or required, and upon conviction thereof, shall be punished for a misdemeanor. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. All violations of this ordinance shall be prosecuted by the County Attorney.

Subd. 2. Equitable Relief In the event of a violation or a threat of violation of this ordinance the Cottonwood County Attorney may take appropriate action to enforce this ordinance, including but not limited to, application for injunctive relief, action to compel performance, or other appropriate action in District Court, if necessary, to prevent, restrain, correct, or abate such violations or threatened violations.

Subd. 3. Cost as special Assessment For any violation of this ordinance, the County may take necessary steps to correct such violations and the costs thereof may be recovered in a civil action or may be certified, at the discretion of the County Board, to the Cottonwood County Auditor as a special assessment against real property.

Subd. 4. Suspension of License Any license issued pursuant to this ordinance may be suspended for not longer than sixty (60) days by the County Board for violation of any provision of this ordinance. Suspension shall not occur earlier than ten (10) calendar days after written notice of suspension has been personally served on the licensee by certified mail with return receipt. Such written notice shall contain the effective date of suspension, the nature of the violation or violations have occurred, and a statement that the licensee is entitled to a hearing provided that he request such hearing in writing and serve said request personally on the Board within ten (10) calendar days of service of such notice, exclusive of the day of service. If the licensee fails to request a hearing within the time prescribed, he shall forfeit any right to a public hearing. Following receipt of a request for a hearing, the County Board shall set a hearing date which will be convenient for the Board. The hearing shall be conducted pursuant to the procedures established under this Section XIX, Subd 6, entitled "Hearing". If the suspension is upheld and the operator has not demonstrated within the sixty (60) day period that full compliance with the ordinance has been attained and that such compliance will be continued, the County Board may serve Notice of Suspension once again or initiate the revocation procedures in Section XIX Subd 5.

Subd. 5. Revocation of License Any license issued pursuant to this ordinance may be revoked by the County Board for Violation of any provision of this ordinance. Revocation shall not occur earlier than ten (10) calendar days after written notice of revocation has been personally served on the licensee or, if a hearing is requested, until the written decision of the Board has been served on the licensee by registered mail. Such written notice shall contain the effective date of the revocation, the nature of the violation or violations constituting the basis for revocation, the facts which support the conclusions that a violation or violations have occurred, and a statement that the licensee is entitled to a hearing provided the he request such hearing in writing and by personally serving said request to the Board within ten (10) calendar days of the serve of such notice, exclusive of the day of service. If the licensee fails to request a hearing within the time prescribed, he shall forfeit any right to a public hearing. Upon receipt of a written request for a hearing, the County Board shall set a hearing not earlier than ten (10) days and not later the thirty (30) days from the date of receipt of the request.

Subd. 6 Hearings Whenever a hearing is requested in regard to an application, renewal, suspension or revocation of a license, the hearing shall be governed by the following procedures:

(a) Hearing Officer: The County Board shall have the power to conduct public hearings pursuant to this section. By resolution, the County Board may appoint a hearing officer to assist the County Board. If the individual conducts hearing on the behalf of the County Board, he shall submit to the County Board, in writing, Findings of Fact, Conclusions of Law and Recommendations and the County Board may base its decision on this report.

(b) Notice of Decision: The County Board shall notify the applicant, or licensee, in writing as to decision within five (5) working days after a decision is reached.

(c) Procedure: All hearings shall be conducted in the following manner:

1. The court reporter shall record and transcribe, if necessary, a record of the hearing.
2. All testimony shall be sworn under oath.
3. The rules of evidence shall be informal. All relevant evidence, subject to the County Board's or hearing officer's discretion, may be reviewed.
4. The County shall present evidence first.
5. The applicant or licensee, or his council, if represented, may cross-examine all witnesses testifying in the proceedings.
6. The attorney for the County Board may cross-examine all witnesses testifying in the proceedings.
7. The decision of the County Board shall be based on the evidence presented at the hearing or on the Finding of Fact, Conclusion of Law and Recommendations of the hearing officer.
8. If the applicant or licensee fails to appear at the hearing, he shall forfeit any right to a public hearing before the County Board or the hearing officer.
9. Any applicant or licensee aggrieved by a decision of the County Board shall have the right to appeal to the District Court in the County of Cottonwood on questions of law and fact within thirty (30) days of the date of the decision.

Subd. 7. Removal of Suspension: In the case of a suspension, upon written notification from the licensee that all violations for which the suspension was invoked have been corrected, the Solid Waste Officer shall, within five (5) working days of receipt of the notice by the licensee, re-inspect the site, facility, or solid waste collection services. If the Solid Waste Officer finds upon such re-inspection that the violations constituting the grounds for suspension have been corrected, the Solid Waste Officer shall immediately terminate the suspension by written notice to the licensee and the County Board.

SECTION XIX VARIANCES

Upon written application by the applicant or operator, the County Board may grant variances from the provisions of this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance.

A variance may be granted by the Board after a public hearing where the Board determines that enforcement of this ordinance cannot be complied with due to a technological impossibility. Such a variance shall not be granted for a period in excess of two years, but may be renewed upon application of the applicant and after public hearing. A variance may be revoked by the County Board at the public hearing prior to expiration of the variance. An application for a variance shall be accompanied by a plan and time schedule for achieving compliance with this Ordinance. Prior to any public hearing held by the Board under this provision, persons who may be adversely affected by the granting of the proposed variance shall be given at least thirty (30) days no said public hearing.

SECTION XX NON-CONFORMING SITES, FACILITIES AND COLLECTION SERVICES

Solid waste management facilities and solid waste collection services is existence on the effective date of this Ordinance (and operation of such facilities or collection services) shall conform to the provisions of this Ordinance no later the thirty (30) days after the adoption of the Ordinance, or termination operations or services no later than that date, unless granted a variance.

SECTION XXI ADDITIONAL REQUIREMENTS/WAIVERS

For the purpose of protecting the public health, safety and welfare, the County Board may impose additional requirements consistent with the intent of the Ordinance for the operation of solid waste management sites or facilities. The County Board may waive any licensing, construction, or operation requirements based on the characteristics of the waste, the site or the proposed service, provided such waiver will not endanger the health or safety of the public.

SECTION XXII SEVERABILITY

It is hereby declared to be the intention of the County Board that provisions of this Ordinance be severable in accordance with the following:

Subd. 1. If any Court competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.

Subd. 2. If any Court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular structure, site, facility, operation or solid waste collection service, such judgment shall not affect the application of said provision to any other structure, site, facility or operation not specifically included in said judgment.

SECTION XXIII INTERPRETATION, PURPOSES AND CONFLICT

The provisions of this Ordinance shall be construed to be the minimum requirements for the promotion of public health, safety and welfare. In any case where provisions of any zoning, building, safety or health ordinance or code in force in Cottonwood County exists, the provisions of which establishes a higher standard for the promotion and protection of the health, safety and welfare of the people of Cottonwood County, the same shall prevail.

SECTION XXIV NO CONSENT

Nothing in this ordinance shall preclude any local unit of government from adopting sticter regulations than this ordinance.

SECTION XXVI REPEALER

Cottonwood County Ordinance # 5 – Solid Waste Ordinance is hereby repealed and replaced with the adoption of this ordinance.

SECTION XXVII INDEMNIFICATION

This Ordinance shall not be construed to hold the County, or any officer or employee of the County, responsible for damage to persons or property by reason of inspections or re-inspections authorized by the provisions of this ordinance, or by reason of approval or disapproval of waste or refuse or in connection with any other official duties.

Subd. 1. Expansion Prohibited No junk or salvage yard existing prior to November 23, 1993 shall increase the land area used for such purposes.

Subd. 2. Site Closure Requirements All junk yards or salvage yards constructed or developed after November 23, 1993 shall be subject to the following closure requirement

- A. All materials shall be handled, transported and processes pursuant to applicable State and Federal regulations for disposal of all solid or hazardous wastes or substances.
- B. The owner, operator or lessee of the site must complete a soil and ground water investigation and evaluation including action needed to remediate any contamination caused by the use of the site.

SECTION XXVIII EFFECTIVE DATE

This Ordinance shall be known, cited, and referred to as the Cottonwood County Solid Waste Ordinance – Ordinance 19.

This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the Cottonwood
County Board of Commissioners
this 21st day of December, 1993

Chairman

Date

ATTEST: _____
County Auditor

Date

APPROVED AS TO FORM AND EXECUTION:

County Attorney

2016 Solid Waste Collection and Transporter License Application

Name of Business _____

Address _____ Telephone _____

City _____ State _____ Zip Code _____

Name of Owner(s) _____

Address _____ Telephone _____

City _____ State _____ Zip Code _____

The solid waste office shall not issue a license until the application complies with all the following requirements for a waste hauler in accordance with the Solid Waste Ordinance, Section III. Subsection B, Subd 1.

- (1) Completing this application for a solid waste collection and transportation license.
- (2) The solid waste collection service will indemnify, defend and save harmless the County, their agents, elected officials and employees from all claims, damages, losses, liabilities and omissions on the part of the hauler, its contractor, agents, savants or employees in the performance of or in relation to any of the work or services to be preformed or furnished by the hauler under the terms of this Contract.
- (3) The solid waste collection service shall obtain and keep in force at all times during this Contract the following insurance policies:
 - a. The licensee shall furnish the county certificates of insurance issued by a company duly licensed to operate within the State of Minnesota covering public liability, general liability, automobile liability, and completed operations liability with bodily injury limits in an amount set by the County Board. In addition, the licensee shall provide evidence of worker's compensation coverage in the required statutory amounts.
 - b. A performance bond with sufficient sureties in the penal sum determined by the solid waste officer and approved by the County Board of Commissioners. Cottonwood County will be named as an obligee with sufficient sureties duly licensed and authorized to transact business in the State of Minnesota as sureties. The condition of the bond shall be that if the principal fails to comply with any requirements, fails to perform any acts required of the operation or ceases to operate or abandon the operation, the sureties will reimburse the County for any monies owed, save and hold harmless the county from all losses, costs and charges

that may incur because of the operator's unwillingness or inability to operate in compliance with the terms of this ordinance. Proof of possession of this bond will be submitted to the Solid Waste Officer and be subject to the approval of the County Attorney prior to the issuance of the license.

c. The Board reserves the right to approve a non-revocable letter of credit, if necessary, in lieu of the performance bond.

- (4) The solid waste collection service agrees to provide collection in a timely manner as described in the following:
 - a. The solid waste collection service will be responsible for the prompt reporting of actual or potential delays in their collection schedule. If a delayed collection is to occur and the collection service can use alternative methods to make the collection within 24 hours, no violation will be recorded. If the service cannot provide collection within 24 hours, they must notify the Solid Waste Office directly. From the time of the notification, the solid waste collection service will have an additional 24 hours to make the collection.
 - b. Customer Complaint: The solid waste collection service has 24 hours to make the collection upon notice from the Solid Waste Officer regarding the complaint.
- (5) Collectors of solid waste from residential customers must submit the approved schedule of charges for collection or hauling of solid waste from each city or area in which haulers shall operate. These charges must reflect a change based on weight or volume in a sufficient manner to encourage waste reduction. For single family customers, the collector must offer a minimum 1 can or bag rate. The can or bag shall be no larger than 30 gallons. Households that recycle shall not be charged a higher fee than those that do not recycle. Not offering of volume based rate shall be grounds for license termination or denial of license renewal. Also, submitting an example of your billing procedure which reflects itemization of collection fees, tipping fees, taxes, etc. is necessary.
- (6) In making this application and accepting a license to collect or transport waste in Cottonwood County, you are agreeing to deliver all solid waste collected to the Cottonwood County Landfill or waste disposal facility designated through resolution by the County Board of Commissioners; and deliver all problem materials to approved EPA/MPCA sites. Include the EPA/MPCA permit number of these sites with your report required under requirement number 8. A license will not be issued to this hauling to undesignated sites.
- (7) Submission of vehicle specifications: All vehicle to be used for solid waste collection and transportation shall have leak-proof bodies of easily cleanable construction completely covered with metal or heavy canvas, and shall be subject to approval and periodic inspection by the Solid Waste Officer.

- (8) The solid waste collection service, on a form provided, will submit to the Cottonwood County Solid Waste Officer a report of quantities and final disposal sites of recyclables and solid waste hauled during the licensing year. Reports will be required twice a year; one by July 15 showing the last six month's total. Solid Waste Quantities measured in cubic yards or tons will be reported by community or area collection. Recyclables will be reported in tonnages and tallied by type (e.g. totals of newsprint, paper, plastic, ferrous and nonferrous metals, glass, corrugated, Whitegoods, etc.) Omissions of the annual report shall be grounds for termination of the license or denial of license renewal.
- (9) Agree to pay all tipping fees by the 20th of the month following the month in which the fees were accumulated. Non-payment of tipping fees by this date will result in the immediate suspension of license unless late payment has prior approval by the County Treasurer. The unpaid balance will be subject to a monthly 1.5% interest fee.
- (10) Payment of the annual vehicle permit fee: A vehicle license shall be established by the Cottonwood County Board of Commissioners and adopted by resolution. The vehicle permit fee shall be established for a calendar year, and if no new permit fee is adopted in any given year, the permit fee from the previous year shall remain in effect. A copy of the current license fee shall be grounds for termination of the license or denial of license renewal. The County will notify all license holders by December 23rd of each calendar year if there are new fee schedules. Each permit fee must be paid by December 31st to receive a vehicle permit for the next calendar year.
- (11) Accompanying each calendar year license application will be a Minnesota State Highway Patrol Vehicle Inspection Checklist submitted by the solid waste collection service for each registered vehicle. Omission of the annual inspection checklist shall be grounds for termination of the license or denial of the license renewal.
- (12) The application must demonstrate to the County Board of Commissioners that it has financial and operational capability to properly collect, transport, and dispose of all solid wastes. Such determination shall be made at the sole discretion of the County Board of Commissioners.
- (13) The solid waste collection service must pay a surcharge fee for the collection and hauling of solid wastes if established by the Cottonwood County Board of Commissioners through resolution. The fee will be based on cubic yard/tonnage collected in Cottonwood County regardless of the final disposal site. The solid waste collection service will provide by the 10th of each following month the tipping receipts and the fee payment for the preceding month. The amount of surcharge will be established by the County Board Resolution for each calendar year. If no new surcharge is adopted in any given year, the surcharge from the previous year shall remain in effect. A copy of the current surcharge fee shall be kept on file in the County Auditor's office. Non-payment of the monthly collection surcharge shall be grounds for the termination of license or denial of license

renewal. In addition to the submittal of the required information, the applicant agrees to the following provisions of this license:

- a. Solid waste will be disposed of at the Cottonwood County Landfill at the direction of the operator by the instruction set forth by the Solid Waste Officer, and the County Landfill Operation Plan.
- b. Agree to obey all present and future rules, regulations, and laws regardless of origin of city, township, County, State or Federal level.
- c. Agree to place no hazardous waste or other banned materials knowingly into the Cottonwood County Landfill (See Solid Waste Ordinance).
- d. Agree to handle all industrial wastes according to the provision set forth in the Industrial Waste Plan for the Cottonwood County Landfill.
- e. Any violation by employees operating under this license is a violation by the holder of this license.
- f. In addition to the above requirements, Cottonwood County would appreciate you voluntarily encourage your customers to avoid the necessity of banning all waste containing recyclables from the landfill.

.....

We, the undersigned, hereby request to operate a solid waste collection/transportation service in Cottonwood County.

I/We understand and acknowledge responsibility to the operation under the above mentioned terms and conditions of this license.

Signed _____ Date _____

Signed _____ Date _____

Notarized By _____ Date _____

Application received this date _____

By _____ Title _____

Bond _____

Approved by _____
(Cottonwood County Attorney)

Performance Bond Determination

Hauler _____

Your performance Bond has been set at _____, which is :
☐ minimum amount required
☐ present amount required
☐ increased amount required

If you question the calculation of this performance bond requirement, please contact the County Solid Waste Officer.

PLEASE ATTACH PROOF OF YOUR POSSESSION OF THE PERFORMANCE
BOND IN THE REQUIRED AMOUNT.

Insurance Requirements

Attach verification of the following minimum insurance coverages:

Comprehensive General Liability	-	\$200,000 per person \$600,000 per occurrence

Personal Liability	-	\$200,000 per person \$600,000 per occurrence

Comprehensive Automobile - \$200,000 per person
\$600,000 per occurrence

Personal Injury	-	\$200,000 per person \$600,000 per occurrence

	Truck Number	Year	License Plate Number	Capacity	Primary Service Area
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					

Add supplement sheets if more space is needed. For convenience, assign a permanent non-repetitive number to each vehicle.

The license fee has been set \$5.00 per application, plus \$2.00 per vehicle by the Cottonwood County Board of Commissioners. Be sure to attach a check payable to the Cottonwood County Treasurer, and made out in the proper amount for the number of vehicles to be licensed.

Also attach verification of the Minnesota Highway Patrol Safety Inspection.

Solid Waste Reporting Form

The following is a tabulation of the solid waste collected by your business from January 1, 20__ to December 31, 20__ from sources outside the Cottonwood County but delivered to the Cottonwood Count Landfill.

Community/Source	Commercial/Tons	Residential/Tons	Comments
Totals			

Collection Rate Reporting Form

The Following information needs to be supplied for the communities within Cottonwood County for which service is provided by your operation; or a signed copy of the contract may be attached if it conforms with the Cottonwood County Solid Waste Ordinance. Contract must include all the provisions outlined in the organized collection section (Section 6). This contract must be for mandatory collection of the waste from all residences and the rate per household must be volume or weight based to a degree of sufficient nature to encourage waste reduction. The lowest step on the rate schedule can be no larger than for a minimum of one 30 gallon can (or bag) and not exceed 50 pounds by weight.

Community

Date of Contract

Expiration Date of Contract

Collection Rates: Base Charge _____ Unit Charge _____

1st Unit

2Nd Unit

3rd Unit

4th Unit

City Clerk Signature

Date

or Attach a copy of the signed contract application.

If a community has not enacted organized collection with the provisions of the solid waste ordinance, then attach a generic copy of your billing statement for all communities for which you do the billing. If the organized collection is implemented and you are contracted to collect and transport waste from that community, then at that time submit the requested information.

Solid Waste Reporting Form

The following is a tabulation of the solid waste collected by business from January 1, 20__ to December 31, 20__ from source outside of the Cottonwood County but delivered to the Cottonwood County Landfill.

Community/Source	Commercial/Tons	Residential/Tons	Comments
Totals			

Solid Waste Reporting Form

The following is a tabulation of the solid waste collected by business from January 1, 20__ to December 31, 20__ from source outside of the Cottonwood County but delivered to the Cottonwood County Landfill.

Community/Source	Commercial/Tons	Residential/Tons	Comments
Totals			

Solid Waste Reporting Form

The following is a tabulation of the solid waste collected by business from January 1, 20__ to December 31, 20__ from source outside of the Cottonwood County but delivered to the Cottonwood County Landfill.

Community/Source	Commercial/Tons	Residential/Tons	Comments
Bingham Lake			
Comfrey			
Delft			
Jeffers			
Mt. Lake			
Storden			
Westbrook			
Windom			
Rural			
Other			
Other			
Totals			

Recyclables Collection Reporting Form

The following is a tabulation of the materials collected by my business from January 1, 20__ to December 31, 20__ from source inside of the Cottonwood County that was eventually reused or delivered for recycling to a location other than a facility operated by Cottonwood County.

Materials	Quantity (Weight)	Destination – Recycling Facility or Market
Aluminum Cans		
Corrugated Cardboard		
Ferrous (Tin) Cans		
Plastic - HDPE		
Plastic – PETE		
Newspaper		
Office Paper		
Mixed Paper		
Cloth Material		
Scrap Metal		
Appliances		
Other		
Other		
Totals		

APPENDIX-4

SOLID WASTE ORDINANCE

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LAC QUI PARLE SOLID WASTE ORDINANCE

An ordinance establishing standards for and regulating the operation of solid waste disposal facilities in Lac qui Parle county, Minnesota; requiring a license for establishing and operating a solid waste disposal facility; establishing requirements for certain facilities on a disposal site, for control of special solid wastes and for fire protection; providing for an enforcement agency, requirement of a performance bond and penalties for lack of compliance with these provisions; and requiring a license for persons who provide a service of collecting and transporting mixed municipal solid waste; in order to promote the health, welfare and safety of the public pursuant to Laws of Minnesota 1984, Chapters 473.811 Subdivision Sa; 11SA.919; 11SA.90 and 145.

Section 1. Definitions. The following words and phrases, when used in this ordinance, unless the context clearly indicated otherwise, shall have the meaning ascribed to them in this Section.

Subsection 1. "County Board" is defined as the Lac qui Parle County Board of Commissioners.

Subsection 2. "Cover Material" is soil that can be compacted to provide the tight seal, does not crack when dry **and** is free of putrescible material.

Subsection 3. "Demolition Waste" is defined as solid waste which consists of concrete, blacktop, bricks, blocks, structural metal, wood from demolished structures, trees and tree trimmings and other inert waste materials as may be approved by the Office.

subsection 4. "Demolition Waste Landfill" is defined as an area of land used for the disposal of demolition waste without creating nuisances or hazards to the environment, public health and safety and is operated in compliance with the provisions of this Ordinance

Subsection 5. "'Garbage'" is defined as discarded material resulting from the handling, processing, storage, preparation, serving, and consuming of food.

Subsection 6. "Gate Yard" is defined as a cubic yard of solid waste as received at the entrance of a waste facility. Waste facilities weighing and reporting tons of solid waste received at the entrance shall use the conversion factor of six hundred pounds per cubic yard (600 lb/yd³) of solid waste received at the entrance when required or authorized by this Ordinance.

Subsection 7. "Incineration" is defined as the process **by**

which solid wastes are burned for the purposes of volume and weight reduction in facilities designed for such use.

subsection a. "Licensee" is defined as the person who has been given authority by the County Board to establish, operate and maintain a solid waste disposal site or facility.

subsection 9. "Mixed Municipal Solid Waste" is defined as garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, but does not include auto hulks, street sweepings, ash construction debris, mining waste, sludges, tree and agricultural wastes, tires, and other materials collected, processed and disposed of as separate waste streams.

Subsection 10. "Office" is defined as the Lac qui Parle county Solid Waste Office.

subsection 11. "Person" is defined as any entity, individual, partnership, corporation, or organization of a private or public nature and any representative thereof.

Subsection 12. "Putrescible Material" is defined as solid waste which is capable of becoming rotten and which may reach a foul state of decay or decomposition.

Subsection 13. "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subsection 14. "Refuse" is defined as putrescible and nonputrescible solid wastes (except body wastes), and including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings and market and industrial solid wastes.

Subsection 15. "Refuse Hauler/Recyclable Collector" means any person who provided a service (except nonprofit organizations) for the collection and transportation of mixed municipal solid waste and/or those recyclable waste materials designated by Lac qui Parle County as required recyclable materials.

Subsection 16. "Sanitary Landfill" is defined as an area of land which is used for the disposal of solid waste without creating nuisances or hazards to public health or safety by utilizing the principals of engineering to confine the solid waste to the smallest practical volume and to cover it with at least six inches (6") of cover material at the conclusion of each day's operation, or at more frequent intervals as may be necessary.

Subsection 17. "Shoreland" is defined as land located

within the following distances from the ordinary high water mark of public waters:

a) land within 1,000 feet from the normal high water mark of a lake, pond, reservoir, impoundment, or flowage; and

b) land within 300 feet of a river or stream or the landward side of flood plain delineated by ordinance on such a river or stream, whichever is greater.

Subsection 18. "Site or Facility" is defined as all real or personal property which is or may be used for the utilization, processing or final disposal of solid waste and which requires a licence for disposal therein under the provisions of this Ordinance.

Subsection 19. "Sludge Waste" is defined as inorganic waste in a semiliquid state, excluding toxic and hazardous waste, but including waste from automobile wash racks and steam cleaning products, ceramic, pottery and glass wastes, muddied water from laundries and similar nontoxic materials.

Subsection 20. "Solid Waste" is defined as garbage, refuse, demolition waste, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded solid waste materials, and sludges, in solid, semisolid, liquid, or contained gaseous form, but does not include hazardous waste, animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solids or dissolved material in domestic sewage or other pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents; or discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended; dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

Subsection 21. "Source Separation" means the separation, by the generator, of any material for the purpose of preventing its introduction into the mixed solid waste stream.

Subsection 22. "Toxic and Hazardous Wastes" shall have the definition ascribed to Hazardous Waste in the Pollution Control Agency Solid Waste Management Rules.

Subsection 23. "Transfer Station" is defined as an intermediate solid waste disposal facility in which solid waste collected from any source is temporarily deposited to await transportation to the final disposal site for facility.

Subsection 24. "Waste Tire" is defined as solid waste which consists of the rubber other resilient material product which is used on a vehicle or other equipment wheel to provide tread which

is discarded or which cannot be used for its original intended purpose because it is used, damaged or defective.

Section 2. General Provisions.

Subsection 1. No person shall dispose of solid waste, nor allow his land or property under his control to be used for intermediate or final disposal of any solid waste, except at a site or facility for which a license has been granted by the County Board, unless otherwise provided by this Ordinance. No person shall provide a service for the collection and transportation of mixed municipal solid waste or designated recyclable materials within Lac qui Parle County unless licensed as a Refuse Hauler/Recyclable Collector by Lac qui Parle county.

Subsection 2. Any site of facility to be used for any method of solid waste disposal, not otherwise provided for in this Ordinance, must be licensed by the County Board before operation may commence. The license application shall include two (2) sets of complete plans, specifications, design data, ultimate land use plan and proposed operating procedures prepared by a registered engineer of Minnesota

subsection 3. After receiving an application for the operation of a site or facility, the County Board shall have ninety (90) days to either grant or deny the license. After receiving an application for a Refuse Hauler/Recyclable Collector's license, the County Board shall have 30 days to either grant or deny the license. If an applicant is not granted a license, he shall be notified in writing the reasons therefor by the County Board. A denial shall be without prejudice to the applicant's right to an appearance before the County Board or for filing a further application after revisions are made to meet objections specified as reasons for denial.

Subsection 4. Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this Ordinance shall be contingent upon the applicant furnishing to the county a bond in an amount to be set by the County Board and naming the County as obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the state of Minnesota as sureties. The condition of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this Ordinance in the operation of the solid waste disposal site or facility, or if, for any reason, ceases to operate or abandons the solid waste disposal site or facility, and the County is required to expend any monies or expend any labor or material to restore the site to the condition and requirements as provided by the Ordinance, the obliger and the sureties on its bond shall reimburse the County for any and all expenses incurred to remedy the failure of the principal to comply with terms of the Ordinance, and that the obliger and its sureties will indemnify and save the County harmless from all losses, costs and charges that may occur to the

county because of any default of the obliger under the terms of his license to operate and the Ordinance of the County. In addition to the bond to be furnished, the licensee shall furnish to the County, certificates of insurance in amounts and types to be set by the County Board

Subsection 5. Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this Ordinance shall expire on December 31 of each year unless sooner revoked. Application for license renewal shall be made in writing to the County Board by November 1 each year. Application for license renewal shall contain a written statement of any changes in the information submitted in the last approved license application. Failure to submit such information shall result in grounds for revocation or for not granting renewal of the license by the county Board. If there are no changes it shall be so stated in the renewal of the license by the County Board. If there are no changes, it shall be so stated in the renewal application.

Subsection 6. Any license granted under the provisions of this Ordinance may be suspended at any time for any failure to pay the license fee, for noncompliance with the provisions of this Ordinance, or whenever in the written and documented opinion of the County Board the continuance of the site or facility would endanger the health, welfare or safety of the public. The notice of suspension may be served upon the licensee personally or by leaving the same at the licensed premises with the person in charge thereof. A license may be revoked only after the County Board has held a public hearing at which the licensee and other person interested in the site or facility shall have the right to be heard. The date of the hearing shall be set by the County Board and shall not be held earlier than fifteen (15) calendar days after notice of said hearing was received by the licensee. At the hearing, any person interested in said site or facility shall have the right to be heard.

subsection 7. Routine inspection and evaluation of solid waste disposal facilities if located in Lac qui Parle County shall be made by the Office in such frequency as to insure consistent compliance by the facilities with the provisions of the Ordinance. The licensee shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the date when the corrections shall be accomplished. The licensee shall be required to allow free access to the Office, County Board, or to the proper representative of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this Ordinance, or any other applicable statute, ordinance or regulation.

Subsection 8. The Office shall be responsible for the administration of this Ordinance. Its duties shall include, but not be limited to, the following:

A. Review and consider all license applications submitted to the County Board for operation of solid waste disposal facilities within the county, and after consideration, to recommend in writing with documentation to the county Board that a license be granted or denied.

B. Inspect solid waste disposal facilities as herein provided and to investigate complaints of violations of this ordinance.

C. Recommend, when necessary, to the County Attorney's Office that legal proceedings be initiated against a certain site or facility to compel compliance with the provisions of this Ordinance or to abate the operation of the same.

D. Encourage and conduct studies, investigations and research relating to aspects of solid waste disposal such as methodology, chemical and physical considerations and engineering.

E. Advise, consult and cooperate with other governmental agencies and the various offices of Lac qui Parle County.

F. Employ qualified personnel to assist County staff in the supervision, administration and enforcement of this Ordinance.

section J. Solid Waste Disposal by sanitary or Demolition Waste Landfill. A sanitary or demolition waste landfill shall comply with the following provisions:

Subsection 1. No person shall establish, operate and maintain a sanitary or demolition waste landfill without first being licensed to do so by the County Board. The County Board may, at its discretion, issue a license for the operation of a sanitary or demolition waste landfill. An application fee, in an amount set by resolution of the County Board, shall accompany the application. The following information must be prepared by a registered engineer of Minnesota and submitted as a part of the application:

A. A current map or aerial photograph of the area showing land use and zoning within one-fourth (1/4) mile of the solid waste disposal site. The map or aerial photograph shall be of sufficient scale to show all homes, building, lakes, pond, water courses, wetlands, dry runs, rock croppings, roads and other applicable problems. Wells shall be identified on the map or aerial photograph, U.S.G.S. date shall be indicated and a north arrow drawn. A location insert map shall be included.

B. A plot plan including legal description of the site

and immediate adjacent area showing dimensions, location of soil borings, present and planned pertinent features including, but not limited to roads, fencing and cover stockpiles. The plan of development including any excavation, trenching and fill. The scale of the plot plan should not be greater than two hundred feet per inch.

c. An ultimate land use plan, including intermediate stages, identifying the total and complete land use. The scale of the ultimate land use plan shall not be greater than two hundred feet per inch.

'O. A report shall accompany the plans indicating:

- 1.. Pollution and areas expected to be served by proposed site.
2. Anticipated type, quantity and source of material to be disposed of at the site.
3. Geological formations and ground water elevations to a depth of at least ten feet (10') below proposed excavation and lowest elevation of site, including the high water table. Such data shall be obtained by soil borings or other appropriate means.
4. Source and characteristics of cover material and method of protecting cover material for winter operation.
5. Area of site in acres.
6. Owner of site.
7. Persons responsible for actual operation and maintenance of the site and intended operating procedures.

E. Written proof that the local applicable municipal or township government has considered the establishment of the site and the results of that consideration.

Subsection 2. The annual license fee shall be set by resolution of the County Board.

Subsection 3. The fill and trench areas of sanitary landfill sites are prohibited within shoreland.

Subsection 4. The following shall be established, constructed or provided for at the sanitary landrill site:

A. sanitary facilities and shelter shall be available for site personnel.

- B. Litter control devices such as portable fences.
- C. Electrical service for operations and repairs.
- D. Fire fighting facilities on site adequate to insure the safety of employees.
- E. Emergency first aid equipment to provide adequate treatment for accidents including those resulting from hazardous and toxic wastes.
- F. A potable water supply for site personnel.
- G. Shelter for maintenance and storage of site equipment.
- H. Adequate facilities to insure that no vehicle desiring entry into the site may have to wait outside the perimeter of the sanitary landfill site.
- I. Adequate communication facilities shall be provided for emergency purposes.
- J. The site shall be fenced and a gate shall be provided at the entrance to the site and kept locked when an attendant is not on duty.
- K. An all weather haul road to the unloading area.
- L. Equipment sufficient for spreading, compacting and covering operations to include sufficient reserve equipment or arrangements to immediately provide for equipment during periods of breakdown.
- M. At each entrance to the site the licensee shall erect and maintain a sign stating the name of the facility, the schedule of day and hours the facility is open to the public, prices for use of the facility and Minnesota Pollution Control Agency permit number and penalty for nonconforming dumping. The sign and its placement shall be subject to approval by the Office.
- N. At the County Board's discretion, a ground and surface water monitoring system may be required, at the licensee's expense.
- O. Visual screening of the sanitary landfill site, as approved by the Office, shall be provided by use of natural objects, trees, plants, seeded soil, berms, fences, or other suitable means.
- P. Suitable disposal facilities shall be provided for individuals who wish to transport and dispose of their own

solid waste.

Subsection 5. Landfill Operating Procedures. Any person who has been granted a license by the County Board to operate a , sanitary landfill shall comply with the following regulations:

A. Open burning of solid waste is prohibited. No scavenging shall be allowed. Salvaging shall be allowed only upon conditions approved in writing by the County Board. Animal feeding within the site is prohibited.

B. Putrescible wastes shall not be deposited within five feet (5') above the highest known water table at the landfill site.

C. A minimum separating distance of twenty feet (20') shall be maintained between the disposal operation and the adjacent property line.

O. Unloading of solid waste shall be confined to as small an area as practicable and surrounded with appropriate facilities to confine possible wind-blown material within the area. At the conclusion of each day of operation, all wind-blown material resulting from the operation shall be collected and returned to the area by the owner or operator.

E. Solid waste shall be compacted as densely as practicable and covered after each day of operation with a compacted layer of least six inches (6") of suitable cover material.

F. Surface water drainage shall be diverted around the landfill operating area.

G. Putrescible materials which have reached a foul state of decay or decomposition, such as spoiled food and animal carcasses, shall be immediately covered and compacted.

H. Disposal of truck and automobile tires and other special wastes shall be managed in accordance with the provisions of Section 13 of this ordinance.

I. Control of vectors, such as rodents and flies, and of odors, dust, wind blown material and other potential public nuisances shall be the responsibility of the licensee. Should the Office so prescribe, the licensee shall, at his own expense, engage an exterminator or pest control agent to inspect the landfill on at least a monthly basis. A copy of each inspection report shall be sent to the Office immediately upon its receipt by the licensee.

J. An attendant shall be on duty at the site at all times while it is open for public use. Unloading of refuse

shall be continuously supervised at the working face of the landfill.

K. The depth of any layers of compacted solid waste in the landfill shall not exceed eight feet (8') without being covered.

L. Within one month after final termination of a site, or a major part thereof, the area shall be covered according to PCA rules. No holes or depressions which might result in collection of surface water shall remain or exist after such covering.

M. The finish surface of the filled area shall be covered with adequate topsoil and seeded with native grasses or other suitable vegetation immediately upon completion or immediately in the spring on areas terminated during winter conditions. If necessary, seeded slopes shall be covered with straw or similar material to prevent erosion.

N. Prior to termination of operation of the site, the Minnesota Pollution Control Agency and the Office shall be notified in order that site investigation may be conducted before personnel and equipment are removed from the property. The final condition of the landfill must be approved by the Office and the Minnesota Pollution Control Agency before such removal may occur.

O. The licensee shall accept all solid waste offered for disposal during the posted hours of operation which may legally and reasonably be disposed of at the site. Vehicles, such as automobiles and trucks, are not considered reasonable items for disposal, but when accepted must be crushed prior to disposal.

P. Accurate daily records of site operations shall be maintained. These records shall contain information pertinent to site operation. Intake of solid waste in tons or cubic yards shall be recorded daily in a manner acceptable to the Office. General areas in which a particular type of solid waste disposal takes place within the landfill shall be filed. Disposal of hazardous waste is prohibited. All hazardous wastes generated by the facility operation, or delivered to the facility by other persons, must be managed in accordance with Lac qui Parle County's Hazardous Waste Management Ordinance No. 12, Minnesota Pollution Control Agency Rules and special waste management plans approved as part of any license or permit issued by either Lac qui Parle County or the State of Minnesota.

Subsection 6. Disposal of bulky wastes in a sanitary landfill is conditioned upon the following requirements:

A. Yard wastes consisting of garden wastes, leaves,

lawn cuttings, weeds, trees, branches, and prunings may not be acceptable for disposal at a landfill after January 1, 1990.

subsection 7. The licensee of the sanitary landfill is responsible for adequate fire protection on the site. Adequate fire fighting equipment shall be available at all times on the site or the licensee shall furnish the Office with proof of a fire fighting agreement between the licensee and the local fire protection agency to immediately acquire its services when needed.

subsection 8. A detailed description and a plat of the completed sanitary landfill site shall be recorded with the Lac qui Parle County Recorder within one month after approval of the final condition of the landfill. This description shall include the general type and location of deposited solid waste, the type and number of lifts, original and final terrain description and other pertinent characteristics of the completed sanitary landfill site.

subsection 9. A demolition waste landfill shall comply with the provisions of Subsection 3 through 8 above and with other applicable provisions of this Ordinance, except for those provisions specifically waived by the Office, and shall pay the appropriate fees.

subsection 10. Household hazardous waste, pesticide, herbicide or fertilizer containers or any hazardous waste as defined by PCA must be collected and transferred in accordance with Minnesota Statutes, PCA Rules and licensed by the County.

section 4. Incineration. This section applies only to existing and new incinerator having a capacity greater than six thousand (6,000) pounds per hour. All incinerators shall be designed and operated in a manner to conform to emission limitations of State and local air pollution control regulations.

subsection 1. It is unlawful for any person to construct, establish, maintain or operate an incinerator without first acquiring a license from the County Board. It shall not be necessary to have more than one license per incinerator for purposes of this ordinance. An application fee in an amount set by resolution of the County Board shall accompany the application. The annual license fee shall be set by resolution of the County Board. The following information shall be submitted as a part of the application:

A. A minimum of two (2) sets of plans and specifications, prepared by a registered engineer of Minnesota, clearly indicating the construction which will be undertaken. These details shall include a plot plan showing land use, zoning and the location, type and height of all

buildings within five hundred feet (500') of the proposed installation.

B. An engineering report including furnace design criteria and expected performance data, the present and future population and area to be served by the incinerator, and the characteristics, quantities and sources of the solid waste to be incinerated.

C. Plans for the disposal of incinerator residue and emergency disposal of solid waste in the event of major incinerator plant breakdown.

D. owner of the site and/or plant.

E. Persons responsible for actual operation and maintenance of the plant and intended operating procedures.

F. Such additional clarifying data as may be requested by the office.

G. Written proof that the local applicable municipal or township government has considered the establishment of the incinerator and the results of that consideration.

Subsection 2. The incinerator operation for each proposed installation shall be considered for approval on its own merits, and shall be in compliance with the following criteria and in accordance with accepted engineering practices.

A. The incinerator plant shall be so situated, equipped, operated and maintained as to minimize interference with other activities in the area.

B. Shelter and sanitary facilities shall be available for plant personnel.

C. A permanent sign shall be posted at the site entrance identifying the operation and showing the Minnesota Pollution Control Agency permit number of the plant, and indicating the hours and days when the plant is open for public use. Access to the plant shall be limited to those times when authorized personnel are on duty.

D. All incoming solid waste to be incinerated at the plant shall be confined to the unloading area. Adequate holding bin capacity shall be provided.

E. Facilities shall be designed to provide for dust control in the unloading and charging areas.

F. The incinerator plant shall have weighing facilities available. Permanent records shall be maintained indicating the total weight of material incinerated, the

total quantity or resulting residue and total hours of plant operation. These records shall be immediately available for inspection upon request by the Office.

G. Fire fighting equipment, meeting the standards of Underwriters Laboratory, Inc., or other approved nationally recognized safety standards, shall be available in the storage and charging areas and elsewhere as needed.

H. Arrangements shall be made with the local fire protection agency to provide fire fighting forces in an emergency.

I. Adequate communication facilities shall be provided for emergency purposes.

J. Equipment shall be provided in the storage and charging areas and elsewhere as needed to allow cleaning after each day of operation or as may be required in order to maintain the plant in a sanitary condition.

K. The charging openings as well as all equipment throughout the plant shall be provided with safety equipment.

L. During normal operation, the temperature in the combustion chambers shall conform to the Air Pollution Control Regulations of the Minnesota Pollution Control Agency now or hereafter adopted, to produce a satisfactory residue and to result in an odor-free operation.

M. A continuously recording pyrometer shall be provided in order to maintain continuous records of temperature in the combustion chambers. A copy of such records shall be available to the Office upon request.'

N. All residue removed from the incinerator plant shall be promptly disposed of in a manner that will prevent nuisances, pollution and public health hazards. Residue containing combustible material shall be disposed of in a sanitary landfill.

O. Upon completion of the plant and prior to initial operation, the Office shall be notified to allow personnel of the Office to inspect the plant both prior to and during the performance tests.

P. Performance tests of the plant may be required by the County Board. A report covering the results of the performance test in such cases shall be prepared by the design engineer of the project and submitted to the County Board with the copy of all supporting data.

Q. Yard wastes consisting of garden wastes, leaves,

lawn cuttings, weeds, trees, branches of trees, and prunings may not be accepted for incineration at any solid waste incinerator, whether licensed under this ordinance or not, after January 1, 1990.

section 5. Transfer stations. Any transfer station shall be constructed, established, maintained and operated in accordance with the following provisions.

Subsection 1. A license shall first be obtained from the county Board to construct, establish, maintain or operate a transfer station. The application and license fee, which shall accompany the license application, shall be set by resolution of the County Board. The application for a license shall contain the following information:

A. Location, size and ownership of the land upon which the station will operate.

B. General description of property use in the immediate vicinity of the transfer station.

C. Complete plans and specifications and proposed operating procedures for the transfer station.

Subsection 2. The following shall be established and maintained at the transfer station site:

A. A sign, subject to the approval of the Office shall be posted on the premises indicating the station name, the schedule of days and hours it is open to the public and prices for use.

B. Roads on the premises shall be all-weather surfaced. The premises shall be constructed and landscaped in such a manner as to be aesthetically pleasing in appearance.

C. Adequate sanitary facilities and shelter for personnel shall be provided on the premises.

D. Records approved by the Office shall be maintained indicating the type and quantity of solid waste passing through the transfer station.

E. The transfer station shall be so equipped, situated, operated and maintained as to minimize interference with other activities to the area.

Subsection 3. A transfer station licensee shall comply with the following regulations:

A. When stated in and as part of the license, the licensee shall take away all solid waste, and wash, clean

and disinfect the station at the end of each day of use.

B. The premises, entrances and exists shall be maintained in a clean, neat and orderly manner at all times.

C. All incoming and outgoing traffic shall be controlled by the licensee in such a manner as to provide orderly and safe ingress and egress.

D. All unloading of solid wastes from contributing vehicle shall be conducted in such a manner as to eliminate odor and litter outside the station.

section 6. Refuse Hauler/Recyclable Collector. All Refuse Haulers/Recyclable Collectors providing service to residential, commercial or industrial customers in Lac qui Parle County must be licensed by Lac qui Parle County (except nonprofit organizations who can provide satisfactory verification of their Minnesota nonprofit tax exempt status), display a decal provided or approved by Lac qui Parle County on each vehicle (on driver's door in upper right quarter) and container used for refuse collection and transportation of refuse from Lac qui Parle County customers, and comply with the following procedures:

Subsection 1. A license shall first be obtained from the county Board to provide the service of collection of solid waste within the County. The annual license fee shall be set by resolution of the County Board. The application for a license shall contain the following information:

A. The name and current business address of the Refuse Hauler/Recyclable Collector.

B. The type, number and capacity of refuse hauling vehicles, and other containers or collection equipment used in Lac qui Parle County for solid waste or recyclables.

C. A brief description of how the Refuse Hauler/Recyclable Collector will comply with the provisions in Subsection 3 A-D of this Section.

O. Information about the location and method of storage of collected recyclable materials along with evidence of compliance with applicable local zoning codes.

E. A general description of the service area. This need not include information about specific customers.

Subsection 2. The Refuse Hauler/Recyclable Collector must provide a service (either directly or through written subcontract with a person or company approved by Lac qui Parle County as a condition to the license) to collect recyclables (and after January 1, 1990 yard waste in accordance with Section 13 subsection 2) from all single family residential, commercial and

industrial customers in Lac qui Parle County. Designated recyclables include aluminum and bimetal beverage containers, color separated glass food and beverage containers, and newspaper for single and multiple family residential customers, and for commercial customers: office paper and corrugated if requested by the customer. Additional recyclable materials may be added to this by Resolution of the County Board after the effective date of this Section. All licensed Refuse Haulers/Recyclable collectors shall be given 120 days advance notice in writing of the proposed additional recyclable material(s) and shall be notified in writing 15 calendar days in advance of the time and date of the County Board meeting at which time a decision will be rendered.' Notice shall be deemed given by mail via general delivery, to the address identified on the most recent license application or renewal form on file in the Office.

A. The Refuse Hauler/Recyclable Collector may specify the type of container their customer must place the recyclables in. The containers must be provided by the Refuse Hauler/Recyclable Collector or already available to a customer at the time this Ordinance becomes effective.

B. The Refuse Hauler/Recyclable Collector must specify the time and day of collection that their customers are to place their recyclables out on their property for pickup. The Refuse Hauler/Recyclable Collector must collect the recyclables within 12 hours of the designated time. The collection location must be on the customer's property in a location at or near the regular solid waste collection site or such other location mutually agreeable to the hauler and the customer.

C. The Refuse Hauler/Recyclable Collector may specify how a customer is to place their recyclables out for collection and how the recyclable are to be prepared. The County Solid Waste Officer reserves the right to review and modify the amount of preparation required by the Refuse Hauler/Recyclable Collector in consideration of local recyclable market requirements.

D. The Refuse Hauler/Recyclable Collector must collect recyclables from each customer at least once a month unless normal solid waste collection service is provided less frequently than monthly, in which case the frequency of recyclable collection shall be the same as refuse collection.

E. The Refuse Hauler/Recyclable Collector is assumed to own the recyclables they have collected and may market them as they see fit. However, a Refuse Hauler/Recyclable Collector may not dispose of any recyclables in or on the land, nor through incineration unless given prior written approval to do so by the Environmental Health Manager.

F. The Refuse Hauler/Recyclable Collector must submit an annual report to the Office, on or before January 31 of each year for the previous calendar year, identifying the weight in tons of all recyclables and all other disposal solid wastes (if tonnage is unavailable for disposal solid waste, cubic yard shall be reported) collected from Lac qui Parle County customers. The report must identify the weight of each type of recyclable collected.

G. The Refuse Hauler/Recyclable Collector must demonstrate to the Office at the time of license application and at time of annual license renewal how they will provide both an incentive to their customers to reduce the amount of waste generated and an incentive to recycle the materials designated by the County Board. Examples of compliance with this provision include, but are not limited to, volume based collection fees and/or credit equal to the reduction in tip fee realized through removal of the amount a customer is recycling.

H. Municipalities or Townships within Lac qui Parle county that contract with Refuse Hauler/Recyclable Collectors must contract only with a Refuse Hauler/Recyclable Collector who is licensed by Lac qui Parle County. Contract must also be consistent with the provisions in this Subsection.

Section 7. Performance Enhancement Recycling Cost Share.

A. The County shall provide to a licensed Refuse Hauler/Recyclable Collector an amount of money (Performance Enhancement Recycling Cost Share or PERCS) to be set by resolution of the County Board for each ton of designated recyclable material collected in Lac qui Parle County by the Refuse Hauler/Recyclable Collector or their contractor. Payment of said PERCS shall be made monthly, providing the Hauler/Recyclable Collector submits to the Office the following information:

- 1) Receipts from the recyclable market or broker or verifiable scale weight slips identifying the quantity by weight of each designated recyclable material collected from Lac qui Parle County; and
- 2) Information on the customers participating with the recycling program including names and addresses.

B. Information regarding the names and addresses of customers provided by the haulers under Section 7.A.2. above shall not be released by the county to any person, (other than the waste hauler providing the information) for any purpose, and shall be considered confidential or nonpublic

data in accordance with the provisions in Minnesota Chapter 13.37 and 13.41 relating to Government Data Practices.

Section 8. Anti-scavenging Provision.

A. Ownership of the separated recyclable materials set out by a customer for collection by the Refuse Hauler/Recyclable Collector shall be vested in the Refuse Hauler/Recyclable Collector servicing the Person who is recycling. It shall be unlawful and an offense against this Ordinance (except as noted in Subsection B below) for any person other than the owner, leasee, or occupant of a residential dwelling or commercial/industrial business, to pick up said separated recyclable materials for any purpose.

B. Persons or organizations other than a licensed Refuse Hauler/Recyclable Collector may not collect recyclables (except at a drop off or redemption site) unless they obtain written permission from the Office. Permission will be granted to any organization to collect recyclables at curb side providing the following conditions are met and evidence thereof is provide to the office.

1) For single and multi-family residential customers, written permission must be granted by the Refuse Hauler/Recyclable Collector servicing the accounts to be collected from.

Section 9. Variances. Upon written application by the applicant or operator, the County Board may grant variances from the requirements of the regulations and standards prescribed by the Ordinance in order to promote the effective and reasonable application and enforcement of the provisions of the Ordinance. Disposal facilities in existence at the time of the enactment of the Ordinance, and operation of such facilities, shall conform to the provisions of this Ordinance no later than one hundred eighty (180) days after the adoption of the Ordinance, or terminate operations no later than that date unless granted a variance for good cause shown this Section in writing to continue operations by the County Board. A request for such variance shall be accompanied with a plan and time schedule for compliance with the provisions of this Ordinance.

Section 10. Penalty. Any person who fails to comply with the provisions of this Ordinance may be charged with a misdemeanor and upon conviction thereof shall be punished thereof as provided by law. The County Board is responsible for the enforcement of this Ordinance, and any person who violates, omits, neglects, or refuses to comply with the provisions or the enforcement of this Ordinance, shall be guilty of a misdemeanor.

Section 11. Additional Requirements. For purposes of protecting and providing for public health, safety and welfare, the county Board may impose additional requirements consistent with the

intent of this Ordinance for the operation of solid waste sites or facilities.

Section 12. Fee on Operators of Disposal Facilities.

subsection 1. Fee on Operators of Disposal Facilities. There is imposed a fee on operators of facilities which accept and dispose of mixed municipal solid waste in the County of Lac qui Parle. All vehicles transporting solid waste shall be registered at the entrance of the waste facility.

subsection 2. Amount of Fee. The fee shall be two dollars (\$2.00) per gate yard of solid waste accepted and disposed of at a facility for mixed municipal solid waste located in Lac qui Parle County. A facility that weighs the waste accepted and disposed of may pay a fee of two dollars (\$2.00) per gate yard based on equivalent gate yards of waste computed as follows: six hundred (600) pounds of waste is equivalent to one (1) gate yard. An operator has the option to vary or alternate the method of determining the amount of waste accepted at the entrance, between weighed and measured volume, however, the fee shall be determined in the same manner as is used to determine the disposal charge. Charges for passenger cars and pickup trucks shall be in accordance with the rules promulgated by the Minnesota Commissioner of Revenue pursuant to the Metropolitan Landfill Abatement Act and shall be prorated in accordance with the ratio between the State fee and the County fee. This is subject to change.

Subsection 3. Partial Exemption from Fee.

A. Waste residue from energy and resource recovery facilities at which solid waste is processed for the purposes of extracting, reducing, converting to energy, or otherwise separating and preparing solid waste for reuse shall be exempt from one-half the amount of the fee imposed if there is at least an eighty-five percent (85%) volume reduction in the solid waste processed. To qualify for exemption under this clause, waste residue must be brought to the facility separately. Before any fee is reduced, the verification procedures of Section 73, Subdivision 1, Paragraph (c) of Minnesota Laws 1984, Chapter 644 must be followed and submitted to the Office.

B. Exemption for Cover Material and Lining. Materials approved by the Office for use as lining, or daily or final cover shall be exempt from the fee imposed under this section. The generator of such material must obtain written approval from the Office. The Office may suspend or revoke such approval upon written notification to the landfill and waste generator if the waste is judged by the Office to be unsuitable for lining or cover material or is not used for the intended purpose at the landfill.

subdivision 4. Returns, Fee payment and Reporting Requirements.

A. Time for Payment of Fee to Count. The fee imposed by this section shall be due and payable by the operator of the facility to the County of Lac qui Parle monthly, on or before the twentieth (20th) day of the month immediately following the month in which the solid waste was received at the facility.

B. Returns. Any operator subject to the fee imposed by this Section shall file a return prescribed by the Office. The return must be signed by the operator or person authorized by the operator to do so. The return shall be filed with the Office on or before the twentieth (20th) day of the month immediately following the month in which the solid waste was received at the facility and must be accompanied by payment of the fee.

C. Extensions. The office may extend for reasonable cause the time for filing returns and remittance of fees for not more than sixty (60) days. The Office may require a tentative return at the time fixed for filing the regularly required return and payment of the fee therewith on the basis of such estimated return.

D. Reporting Requirements. The monthly return required to be filed shall show: (1) the number of gate yards of solid waste accepted and disposed of at the facility; (2) for a facility that weighs waste, the total weight of solid waste accepted and disposed of at the facility converted to equivalent gate yards of solid waste; (3) if a facility has accepted and disposed of solid waste exempted from the fee under Subsection 3, the number of gate yards of solid waste exempt from the fee, together with verification acceptable to the Office that the waste is exempt from the fee; (4) the amount of fee due on the return; and (5) such other information as may be required by the Office and on forms approved by the Office in order to administer this Section.

E. Failure to File Return. If any operator required to file any return shall fail to do so within the time prescribed by this Section or shall make, willfully or otherwise, an incorrect, false or fraudulent return, such operator, upon written notice and demand, shall immediately file such thereof. If such operator shall fail to file such return or corrected return, the Office may make for him a return, or corrected return, from its knowledge and from such information as the Office can obtain through (less any partial payments for the fee covered by such return) shall be immediately paid upon written notice and demand. Any such return or assessment made by the Office shall be prima facie correct and valid and such operator shall have the

burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto. Nothing in this paragraph shall preclude any other remedy authorized by law or ordinance.

F. Records. Every operator of a facility at which mixed municipal solid waste is accepted and disposed of shall keep adequate and complete records showing the total gate yards of solid waste accepted and disposed of at the facility for each day or, if such waste is weighed, the total weight of such solid waste for each day.

G. Examination of Records. The County or its designated agent shall have the right to examine records and accounts of the operator required to file a return.

Section 13. Special Wastes.

subsection 1. Applicability. The requirements of this section shall apply to any person who disposes of, transports, stores, processes, or otherwise possesses waste tires within the County of Lac qui Parle.

Subsection 2. Definitions. The terms used in this section shall have meanings as defined in Minn. Stat. 115A.90 and Minn. Rules pts. 9220.0110 and .0210.

Subsection 3. Disposal.

1. Requirement. Any person who possesses waste tires in the County of Lac qui Parle shall:

- a) deliver the waste tires to a person who possesses a valid Waste Tire Transporter Identification Number as required by Minn. Rules pt. 9220.0530;
- b) deliver the waste tires directly to a permitted or exempt waste tire storage, transfer or processing facility; or
- c) obtain a permit from the Minnesota Pollution Control Agency to store or process the waste tires as required by Minn. Rules pts. 92-20.0230 and .0240. Such storage or processing shall be in accordance with all conditions of the state permit.

2. Exemptions. A person may store or process waste tires without a State permit if:

- a) such storage or processing is pursuant to an exemption under Minn. Rules pt. 9220.0230, subp. 2;

- b) fewer than 50 waste tires are stored at any one time; or
- c) fewer than 50 waste tires are processed during any 30 days.

Subsection 4. Transportation.

1. Requirement. Any person who transports waste tires for hire in the County of Lac qui Parle shall first obtain a waste Tire Transporter Identification Number from the Minnesota Pollution Control Agency as required by Minn. Rules pt. 9220.0530.

2. Exemptions. A person may transport waste tires without a Waste Tire Transporter Identification Number if such transportation is pursuant to an exemption under Minn. Rules pt. 9220.0530, subpt. 2.

3. conditions. A person who transports waste tires for hire shall:

- a) deliver the waste tires to a waste tire processing, storage, or transfer facility that has a State permit or is exempt from the requirement to obtain a State permit; and
- b) transport the waste tires in accordance with all conditions of the applicable Waste Tire Transporter Identification Number.

Subsection 5. Penalties.

1. Criminal penalties. Any person who willfully or negligently violates this section shall upon conviction be guilty of a misdemeanor.

2. Civil penalties. Any person who disposes of waste tires on public or private land, shoreland, roadways or water in the County of Lac qui Parle in violation of this section shall be subject to the civil penalties of Minn. Stat. ch. 115A.99.

Subsection 6. Yard wastes. After January 1, 1990, yard wastes including garden wastes, leaves, lawn cuttings, weeds, and prunings shall not be disposed of in mixed municipal solid waste, in a land disposal facility or in a resource recovery facility except for the purposes of composting or co-composting. The county shall provide a co-composting site.

Subsection 7. Other Wastes. The Lac qui Parle county Board may by resolution prohibit the disposal of other wastes in a sanitary landfill when alternatives to disposal are available.

section 14. Tax Levies; Advance Funding. Pursuant to Minnesota Statutes Section 400.11 the County Board by resolution from time to time may levy taxes for solid waste management purposes upon all taxable property within the county. The county may levy a tax in anticipation of need for solid waste management purposes as specified in the resolution levying the tax appropriating the proceeds of the tax to a special fund to be used only for those purposes and, until used, to be invested in securities authorized in Section 475.66 of Minnesota Statutes.

section 15. Indemnification and cost Recovery.

Subsection 1. Indemnification. This ordinance shall not be construed to hold the Office or the County of Lac qui Parle or any officer or employee responsible thereof for any damage to persons or property by reason of the inspection or re-inspection authorized herein provided, or by reason of the approval or disapproval of equipment or licensing herein, nor for any action in connection with the inspection or control of solid waste or refuse or in connection with any other official duties.

Subsection 2. Civil Action or Cost as Special Tax. If a person fails to comply with the provisions of this Ordinance, the county may recover costs incurred for corrective action abate a threat to public health in a civil action in any court of competent jurisdiction or, at the discretion of the County Board, the costs may be certified to the County Auditor as a special tax against the real property.

section 16. Other Ordinances and Regulations. Lac qui Parle County does not release any of its Solid Waste Management Powers under Minnesota Statutes and agency regulations to other units of government. If any regulations existing or adopted by other local units of government conflict with this ordinance, this county ordinance and plan shall prevail.

Section 17. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication according to law except SECTIONS 6, 7, 8 and the amendments to SECTION 13 which shall be effective January 1, 1990 or as otherwise specified within those Sections.

section 18. Effective Date. This ordinance shall be effective upon its passage and publication as provided by law.

Passed by unanimous vote of the Parle County Board of
commissioners this __[, _ day of --<...z=;;aap"f:--' 1991.

ATTEST:

Alan Benson
County Auditor

Morris Benson
Morris Benson
Chairman,
Board of County Commissioners
Lac qui Parle County, MN

Passed this _-'... day of _ *7* , 1991.

JACKSON COUNTY SOLID WASTE ORDINANCE

ADOPTED, FEBRUARY 10, 1992

DRAFT

JACKSON COUNTY SOLID WASTE ORDINANCE
TABLE OF CONTENTS

SECTION I.	DEFINITIONS	Page 2
SECTION II.	PURPOSE AND GOALS.....	Page 10
SECTION III.	GENERAL PROVISIONS-SOLID WASTER OFFICER RESPONSIBILITIES	Page 11
SECTON IV.	SOLID WASTE DISPOSAL FACILITIES	Page 12
SECTION V	SOLID WASTE STORAGE	Page 15
SECTION VI	COLLECTION AND TRANSPORTATION OF SOLID WASTE	Page 18
SECTION VII	SOLID WASTE DISPOSAL BY SANITARY LANDFILL	Page 20
SECITON VIII	SOLID WASTE DISPOSAL BY INCINERATION.....	Page 21
SECTION IX	SOLID WASTE DISPOSAL BY COMPOSTING	Page 22
SECTION X	TRANSFER STATIONS	Page 23
SECTION XI	DEMOLITION DEBRIS DISPOSAL.....	page 24
SECTION XII	WASTE TIRES	Page 25
SECTION XIII	SPECIAL WASTE	Page 26
SECTION XIV	RECYCLING FACILITY/RECYCLING COLLECTION LICENSE	Page 28
SECTION XV	MANDATORY SOLID WASTE COLLECTION / RECYCLING MATERIAL SEPARATION.....	Page 30
SECTION XVI	PERMITS AND LICENSE FOR SOLID WASTE COLLECTION AND TRANSPORTATION.....	Page 32
SECTION XVII	LICENSE FEES	Page 36
SECTION XVIII	RATES AND CHARGES FOR SOLID WASTE MANAGEMENT WHEN PROVIDED BY THE COUNTY	Page 37

SECTIONS XIX	LITTER.....	Page 39
SECTION XX	ENFORCEMENT AND INSPECTION.....	Page 40
SECTION XXI	VIOLATIONS AND PENALTIES	Page 41
SECTION XXII	VARIANCES	Page 44
SECTION XXIII	NONCONFORMING SITES AND FACILITIES AND COLLECTION OF SOLID WASTE	Page 45
SECTION XXIV	ADDITIONAL REQUIREMENTS	Page 46
SECTION XXV	SEVERABILITY	Page 47
SECTION XXVI	PROVISIONS ARE ACCUMULATIVE.....	Page 48
SECTION XXVII	NO CONSENT.....	Page 49
SECTION XXVIII	OTHER ORDINANCES AND REGULATIONS.....	Page 50
SECTION XXIX	EFFECTIVE DATE	Page 51

“ORDINACNE NUMBER 101”
COUNTY OF JACKSON, STATE OF MINNESOTA

SOLID WASTE ORDINANCE

The Solid Waste Management Ordinance for Jackson County is an ordinance authorizing and providing for County Solid Waste Management; establishing powers and duties in connection therewith; establishing standards and requirements for solid waste management operations within incorporated and unincorporated areas of the County of Jackson; requiring a license for storage, collection, transportation, processing, and disposal of solid waste, embodying and supplementing the minimum standards and requirements established by rules of the Minnesota Pollution Control Agency; providing for enforcement of said requirements; imposing penalties for failure to comply with these provisions; requiring performance bonds and insurance; and promoting the health, safety, and welfare of the public along with protecting resources of water, air and land.

The County Board of Commissioners of the County of Jackson under the authority provided in chapter 115, 115A, 116, 145.22, 145.23, 375, 400, 561.01 and 609.74 of the MN State Statutes, does ordain:

SECTION I. DEFINITIONS

Unless specifically altered, terms and abbreviations used in this ordinance shall be interpreted in a manner consistent with Minnesota Statutes, Chapter 115, 115A, 116 and 400 and rules of the Agency, which have been or hereafter may be adopted under those provisions. Terms and abbreviations used herein which are not specifically defined by law shall be construed in accordance with the context and professional usage.

Subd. 1. “Agency” means the Minnesota Pollution Control Agency.

Subd. 2. “Air contaminant” means the presence in the outdoor atmosphere of any dust, fumes, mist, smoke, vapor, gas or other gaseous fluid, or particulate substance differing in composition from or exceeding in concentration the natural components of the atmosphere.

Subd. 3. “Air Pollution” means the presence in the outdoor atmosphere of any air contaminant or combination thereof in such quantity, of such nature and duration, and under such condition as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.

Subd. 4. “Backyard Compost Site” means a site used to compost food scraps or yard waste generated by a single family or household, apartment building, or commercial office building.

Subd. 5. “Brush Disposal Facility” a site used exclusively for disposal in or on the land of trees and tree parts including stumps, branches, and their attached leaves. Such disposal may include open burning and burial of the resulting ash or unburned tree parts.

Subd. 6. “Board” means the Jackson County Board of Commissioners.

Subd. 7. “Canister System” means one or more commercial solid waste storage containers (such as “dumpsters”) located to function as an intermediate disposal facilities, and which are serviced on a regular basis by a public or private hauler.

Subd. 8. “Collection” the aggregation of solid waste from the place at which it is generated, and includes all activities up to the time the waste is delivered to a waste facility.

Subd. 9. “Collector(s)” any person(s) or entity specifically licensed by the County under this Ordinance, who owns, operates, or leases vehicles for the purpose of collection and transportation of garbage, rubbish, or other mixed municipal solid waste and recyclable materials and to dispose of the same.

Subd. 10. “Co-Composting” the composting of mixed municipal solid waste with a nutrient source or a bulking agent.

Subd. 11. “Compost Facility” a site used to compost or co-compost solid waste. This includes all structures used to control drainage, collect and treat leachate, and storage areas for the incoming waste, the final product, and residuals resulting from the composting process.

Subd. 12. “Composting” is the controlled microbial degradation of organic waste to yield a humus-like product.

Subd. 13. “Container” a container for solid waste which meets the requirements set forth in Section.

Subd. 14. “County” means any department or representative of the County who is authorized by this ordinance or otherwise by the county Board to represent the County of Jackson in the enforcement or administration of this ordinance.

Subd. 15. “Cover Material” is granular material approved by the Agency that is used to cover compacted solid waste and demo-debris in a land disposal site. Important general characteristics of good cover are low permeability, uniform texture, cohesiveness and compactibility.

Subd. 16. “Demolition Debris” inert material that includes concrete, brick, bituminous, untreated wood, masonry, glass, rock, and plastic parts resulting from the demolition of buildings, roads, and other man-made structures. Demolition debris does not include solid waste or asbestos waste.

Subd. 17. “Demolition Debris Land Disposal Facility” means a site used only to dispose of demolition debris.

Subd. 18. “Disposal” has the meaning given it in MN Statutes Section 115A.03,
Subd. 10.

Subd. 19. “Dumping” the discharge, deposit, injection, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including ground water.

Subd. 20. “Facility” all contiguous land, structures, monitoring devices, and other improvements on the land used for monitoring, treating, storing, or disposing of solid waste, leachate, or residuals from solid waste processing.

Subd. 21. “Farm” is a tract of land, ten (10) acres or more in size, which is principally used for agricultural activities such as the production of cash crops, livestock or poultry farming. Such farm may include agricultural dwelling and accessory buildings and structures necessary to the operation of the farm.

Subd. 22. “Garbage” means material resulting from the handling, processing, storage, preparation, serving and consumption of food.

Subd. 23. “Hazardous Waste or Toxic Waste” is any refuse or discarded materials or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled in a routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological or physical properties. Categories of hazardous waste material includes, but are not limited to, explosives, flammables, oxidizers, poisons, irritants, and corrosives. Hazardous waste does not include sewage sludge, and source materials, special nuclear waste or by product material as defined by the “Atomic Energy Act of 1954”, as amended.

Subd. 24. “Household Hazardous Waste” any waste generated from household activity that exhibits the characteristics of or that is listed as hazardous waste under agency rules, but does not include waste from commercial activities that is generated, stored, or present in a household. Household hazardous waste include, but are not limited to paints, solvents, cleaners, pesticides, herbicides, paint thinner, drain opener, varnishes, stains, and adhesives.

Subd. 25. “Illegal Dumping” means dumping of any garbage including littering, demolition, white goods, batteries, rubbish, tires, or solid or hazardous waste other than approved site or container.

Subd. 26. “Incineration” means the process by which solid wastes are burned for the purpose of energy recovery or volume and weight reduction in facilities designed for such use.

Subd. 27. “Industrial Solid Waste” all solid waste generated from an industrial or manufacturing process and solid waste generated from non-manufacturing activities such as service and commercial establishments. Industrial solid waste does not include office materials, restaurant and food preparation waste, discarded machinery, demolition debris, or household refuse.

Subd. 28. “Intermediate disposal facility” means a facility for the temporary collection, storage, reduction, recycling, or processing of solid waste prior to final disposal.

Subd. 29. “Land Pollution” means the presence in or on the land of any solid waste in such quantity, or such nature or duration, and under such conditions as would affect injuriously any waters of the state, create air contaminants or cause air pollution.

Subd. 30. “Licensee” means a person who has been authorized by issuance of a license by the County Board for solid waste management purposes pursuant to this ordinance.

Subd. 31. “Local Government Unit” means, cities, towns and counties.

Subd. 32. “Major Appliances” means clothes washers, dryers, dishwashers, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, refrigerators, freezers, residential furnaces, hot water heaters, and dehumidifiers.

Subd. 33. “Mixed Municipal Solid Waste” has the meaning given it in MN Statutes, Section 115A.03, subd. 21. Garbage, refuse, and other solid waste from residential, commercial,

industrial, and community activities that the generator of the waste aggregates for collection, but does not include hulks, street sweepings, ash, construction debris, mining waste, sludge, tree and agriculture wastes, tires, lead acid batteries, used oil, and other materials collected, processed, and disposed of as separate waste streams.

Subd. 34. “Municipality” a city, village, borough, county, town, sanitary district, school district or other governmental subdivision or public corporation or agency created by the legislature.

Subd. 35. “Office” means the Office of Waste Management.

Subd. 36. “Open Burning” burning any matter whereby the resultant combustion products are emitted directly to the open atmosphere without passing through an adequate stack, duct, or chimney.

Subd. 37. “Open Dump or “Dump” a land disposal site at which solid waste is disposed of in a manner that does not protect the environment, is susceptible to open burning, and is exposed to the elements, flies, rodents and scavengers.

Subd. 38. “Operation” means any site, facility, or activity relating to solid waste management.

Subd. 39. “Operator” person responsible for the overall operations of a facility.

Subd. 40. “Owner and Occupant” the person(s) or entity(ies) which hold legal or beneficial title to a property and the person(s) or entity(ies) which have or exercise possession or occupancy of a property respectively.

Subd. 41. “Person” means any human being, any municipality or any other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other business organization, any receiver, trustee, assignee, agent, or other legal representative or any of the foregoing, or any other legal entity.

Subd. 42. “Pollutant” has the meaning given it in MN Statutes, Section 115.01,
Subd. 13.

Subd. 43. “Post Closure & Post-Closure Care” actions taken for the care, maintenance, and monitoring of a facility after closure that will prevent, mitigate, or minimize the threat to public health and environment posed by the closed facility.

Subd. 44. “Processing” the treatment of solid waste after collection and before disposal. Processing includes but is not limited to volume reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification, and transfer from one waste facility to another.

Subd. 45. “Putrescible Material” means solid waste which is capable of becoming rotten or which may reach a foul state of decay or decomposition.

Subd. 46. “Recovered Materials” materials that have been separated from solid waste and stored so that the material is properly protected from environmental degradation and is not a source of odor, harborage for skunks, rodents or mosquitoes and is being processed, modified, or converted to be a raw material that may be beneficially used.

Subd. 47. “Recycling” is the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subd. 48. “Recycling Center” is either a county facility for receiving, processing and marketing recyclable materials or a privately operated facility performing the same functions.

Subd. 49. “Recyclable Materials” materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastics, metals, automobile oil, and batteries. Refuse derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subd. 50. “Refuse” means putrescible and non-putrescible solid wastes, including, but not limited to, garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, market and industrial solid wastes, and sewage treatment wastes which are in a dry form.

Subd. 51. “Rubbish” non-putrescible solid wastes, including but not limited to ashes and combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass bedding, crockery, or litter of any kind.

Subd. 52. “Sanitary District” a sanitary district with the authority to regulate solid waste.

Subd. 53. “Sanitary Landfill” means a land disposal site, permitted by the Agency, employing an engineered method of disposing of solid waste on land in a manner that minimizes environmental hazards by spreading the solid waste in thin layers, compacting the solid waste to the smallest practical volume, and applying cover material at the end of each operation day, or at intervals as may be required by the Agency.

Subd. 54. “Scavenging” all unauthorized removal of solid waste materials from a solid waste disposal facility.

Subd. 55. “Service Area” is enacted pursuant to Minnesota Statute 400.08 which grants Jackson County the authority to establish and determine the boundaries of the solid waste management areas in the County. The County Board may impose service charges for the area. The Jackson County Solid Waste Ordinance may require mandatory solid waste collection and mandatory recycling separation in the service area.

Subd. 56. “Shoreland” means land located within the following distances from the ordinary high water elevation of public waters:

- (a) land within 1,000 feet from the normal high watermark of a lake, pond or flowage
- (b) land within 300 feet of a river or stream of the landward side of flood plain delineated by ordinance on such a river or stream, whichever is greater.

Subd. 57. “Solid Waste” means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded solid materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Subd. 58. “Solid Waste Collection Service” the collection and transportation of solid waste generated by any person, residential, business, commercial, governmental, or industrial unit in Jackson County by a hauling service for hire by the generator, or a demolition debris hauling service that transports solid waste separated or mixed with demolition debris, or a service hauls recyclables.

Subd. 59. “Solid Waste Facility” all property real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste. It includes but is not limited to the storage, collection, transportation, processing and reuse, conversion, or disposal of solid waste in a safe environmentally sound manner.

Subd. 60. “Solid Waste Management” means the storage, collection and removal of solid waste from public or private property, its transportation to intermediate or final disposal facilities and its disposal by approved methods, the management of a recycling program, solid waste education and other solid waste operations or services.

Subd. 61. “Source Separated Materials” materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in manufacturing processes.

Subd. 62. “State” means the State of Minnesota.

Subd. 63. “Transfer Station” means an intermediate waste facility in which solid waste collected from any source is temporarily deposited to await transportation to another waste facility.

Subd. 64. “Waste” means solid waste, sewage sludge and hazardous waste.

Subd. 65. “Waste Reduction” an activity that prevents generation of waste including reusing a product in its original form, increasing the life span of a product, reducing material used in production or packaging, or changing procurement, consumption, or waste generation habits to result in smaller quantities of waste generated.

Subd. 66. “Waste Tire” is a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect.

Subd. 67. “Waste Tire Collection Site” a licensed waste facility used for the storage of waste tires prior to their transport to a waste tire processing facility.

Subd. 68. “Water Pollution” means the contamination of any waters of the state so as to create a nuisance or render such waters unclean, obnoxious or impure, so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, commercial or industrial use, or to animals, birds, fish or other aquatic life.

Subd. 69. “Water of the State” means all streams, lakes ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

Subd. 70. “Yard Waste” means the garden wastes, leaves, lawn cuttings, weeds and prunings generated at residential or commercial properties.

Subd. 71. “Yard Waste Compost Facility” a site used for the composting of yard waste which is (a) operated by the county or the municipality or; (b) operated by a private person or entity and permitted by the Minnesota Pollution Control Agency to accept yard waste.

SECTION II. PURPOSE AND GOALS

The Jackson County Board of Commissioners has determined this Ordinance be adopted to:

Subd. 1. Protect the public's health, prevent public nuisances, and prevent contamination of the groundwater and other environments of Jackson County from solid waste through the control of number, location and operation of such facilities.

Subd. 2. Preserve and protect our land and water resources.

Subd. 3. Assure that all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future.

Subd. 4. Support activities that will promote use and reuse of materials found in solid waste that would otherwise be disposed in ways that would not recapture the useful characteristics of its components.

Subd. 5. Augment, supplement and support existing Jackson County and State of Minnesota controls on solid waste.

Subd. 6. Embody the purposes found in Minnesota State Laws and Rules on solid waste.

Subd. 7. The Jackson County Solid Waste Ordinance shall follow Minnesota Statutes, including but not limited to Chapters 17.135, 115, 115A, 116, 145.22, 145.23, 375, 400, 561.01 , 609.671, 609.68 and 609.74.

SECTION III. GENERAL PROVISIONS - SOLID WASTE OFFICER RESPONSIBILITIES

The Environmental Service Officer shall have all necessary authority to implement and carry out the provisions of this Ordinance including, but not limited to, the following:

Subd. 1. The Environmental Services Officer shall be certified with Minnesota Pollution Control Agency for Waste Disposal Facilities Inspector Type II, in accordance with the provisions of Minnesota Statutes, Section 116.41, Subd. 2.

Subd. 2. To review and consider all license applications and supporting materials which are required to him/her for operations within the County, and after consideration, to recommend in writing with documentation to the County Board that a license may be granted or denied.

Subd. 3. To inspect operations to determine compliance with this Ordinance and to investigate complaints which violate this Ordinance.

Subd. 4. To recommend, after first consulting with and obtaining approval from the County Board of Commissioners, to the County Attorney that legal proceedings be initiated against a person to compel compliance with the provisions of this Ordinance or to abate or control an operation not in compliance with this Ordinance.

Subd. 5. To encourage and conduct studies, investigations and research relating aspects of solid waste management, including, but not limited to, methodology, chemical and physical considerations, and engineering.

Subd. 6. To advise, consult, and cooperate with the public and other governmental agencies in furtherance of the purpose of the Ordinance.

Subd. 7. To plan, implement and administer all County operated waste abatement measures.

SECTION IV. SOLID WASTE DISPOSAL FACILITIES

Subd. 1. No person shall operate a solid waste disposal facility nor allow, permit, or cause his land to be used as a solid waste disposal facility without a valid license issued by Jackson County.

Subd. 2. In order to obtain a license to operate a solid waste facility an individual must first complete an application and provide all of the following information:

- A. Two sets of complete plans, specifications, design data, ultimate land use plan, if applicable, and proposed operating procedures prepared by a registered professional engineer of Minnesota.
- B. Evidence that the property is properly zoned for the solid waste disposal facility and that the owner has obtained the necessary building permits.
- C. A bond in an amount to be set by the County Board naming the County as an obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Minnesota as sureties. The condition of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this Ordinance in the operation of the waste facility, or if, for any reason ceases to operate or abandons the waste facility, and the County is required to expend any monies or expend any labor or material to restore the facility to the condition and requirements as provided by this Ordinance, the obligor and the sureties on its bond shall reimburse the county for any and all expenses incurred to remedy the failure of the principal to comply with the terms of the Ordinance, and the obligor and its sureties will indemnify and save the County harmless from all losses, costs and charges that may occur to the County because of any fault of the obligor under the terms of his license to operate and the Ordinances of the County.
- D. In lieu of part, or all, of said bond, the licensee may provide financial assurance in an amount and form acceptable to the County Board to be used to bring the facility into compliance with said requirements. The performance bond shall be subject to cancellation by the surety at any time only upon giving one hundred twenty (120) days prior written notice of cancellation to the Environmental Services Officer.
- E. The licensee shall furnish to the County certificates of insurance issued by insurers duly licensed within the State of Minnesota covering public liability insurance, including general liability, automobile liability, loading and unloading, completed operations liability, explosion and collapse of underground operations liability and bodily injury liability in amounts described in F. In addition, the licensee shall provide evidence of workers compensation coverage in the required statutory amounts.

- F. A certificate of insurance issued by a company duly licensed to operate within the State of Minnesota covering public liability, automobile liability, operations liability, with bodily injury limits in an amount no less than \$500,000 for injury or death on any one person and aggregate limits of not less than \$1,000,000 for injuries or deaths arising out of any one occurrence. Property damage limits shall be not less than \$1,000,000 per occurrence and in the unencumbered aggregate amount of at least \$1,000,000. The Board reserves the right in its discretion to set such other limits as it deems necessary.
- G. Evidence of compliance with all State and Federal laws including necessary permits and licenses for operation of a solid waste disposal facility.

Subd. 3. License applications will be reviewed by the Environmental Services Officer to determine compliance with the requirements of Subd. 2 and the Jackson County Solid Waste Plan. The applicant will be notified of any deficiencies in the application. Within 45 days after receipt of a completed application the Environmental Health Officer will present the application to the Jackson County Board of Commissioners with a recommendation for approval or denial of license.

Subd. 4. The Jackson County Board of Commissioners will make final determination whether to grant the license. Any license granted by the Board will be valid for one (1) year unless surrendered, suspended, or revoked prior to that time.

Subd. 5. No person shall construct or operate in Jackson county a landfill, incinerator, transfer station, or compost facility for the disposal of solid waste without first obtaining a permit from the County and meeting all local, state and federal regulations relating to such facility.

Subd. 6. The following items are banned from final disposal at solid waste disposal facilities in Jackson County and Dickinson County Sanitary Landfill, Iowa:

- dry cell batteries containing mercury, silver, or nickel-cadmium, or sealed lead acid batteries that were purchased for use by a government agency or an industrial, communication, or medical facility.
- Household Hazardous Waste (see Sect. II for definition)
- Lead Acid Batteries (vehicle batteries)
- Use oil
- Major Appliances/White Goods (see Sect. II for definition)
- Recyclable Material (see Sect. II for definition)
- Waste Tires
- Yard Waste
- Plastic grocery bags or trash bags (IA Chapter 455D)

Jackson County Board of Commissioners will by resolution ban additional materials as dictated by State and Iowa State regulations.

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SECTION V. SOLID WASTE STORAGE

Subd. 1. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises, shall be responsible for the satisfactory storage of all solid waste accumulated at that premise, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for human occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection, transportation, and disposal of all solid wastes.

Subd. 2. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises shall be responsible for maintaining all areas free of improperly stored solid waste accumulations. Except for accepted normal operation on farms, this includes removal of: (a) animal feces, brush piles, inoperable machines, major appliances, fixtures, and equipment so damaged, deteriorated or obsolete as to have not substantial value and can be reasonably considered solid waste; (b) lumber piles and building materials unless being actively used by a business or construction requiring the use of such lumber and materials; (c) tin cans, broken glass, broken furniture, boxes, crates, and other debris; (d) any other form of mixed municipal solid waste. Nothing in this section is designed to restrict the commonly accepted activities of farms and duly established and licensed automobile, scrap iron, and metal recyclers and salvage operations.

Subd. 3. Putrescible waste, including, but not limited to, garbage shall be stored in durable, rust-resistant, non-absorbent, water-tight, rodent-proof, and easily cleanable containers, with close-fitting, fly tight covers having adequate handles to facilitate handling; or other types of containers acceptable to the solid waste collection service which comply with Agency regulations, this Ordinance, and approved by the Environmental Services Officer. The size and allowable weight of the containers may be determined by the solid waste collection service as approved by the Environmental Services Officer.

Subd. 4. Solid Waste shall be stored in durable containers or as otherwise provided in this Ordinance. Where putrescible wastes are stored in combination with non-putrescible wastes, containers for the storage of the mixture shall meet requirements for putrescible waste containers.

Subd. 5. No person shall place the following items into a container for collection and disposal at a solid waste disposal facility:

- Household Hazardous Waste. All household hazardous wastes shall be disposed of through the Lyon County Regional Household Hazardous Waste Facility.
- Dry cell batteries containing mercury, silver, or nickel-cadmium, or sealed lead-acid batteries.
- Lead Acid Batteries (vehicle batteries)
- Used oil
- Major Appliances
- Waste Tires
- Yard Waste
- Recyclable Material

-Plastic grocery bags or trash bags (IA Chapter 455D)

Jackson County Board of Commissioners will by resolution ban additional materials as directed by MN State regulations and Iowa Department of Natural Resources regulations.

Subd. 6. Toxic or Hazardous Wastes shall be stored in durable, leak-proof containers and shall be “printed or marked” so as to easily identify the container as a toxic or hazardous waste, (e.g. a yellow band that encircles, at a minimum the center one-third (1/3) of the container) consistent with federal and state regulations. All previous lettering and numbering will be obliterated from the container. The container will be marked within the yellow band, or other easily identified area, using a permanent marker as follows: The chemical name of the waste, the UN or NA number the contaminates present by percentages, the start date, the generators name and address and the generators EPA or Agency identification number. Such wastes shall be stored in a safe location, accompanied with a description of the chemical composition of the substance stored within the container and be in compliance with the storage and transportation requirements of Agency regulations, federal and state regulations and this Ordinance. Vehicles shall be properly placarded and be accompanied with a proper shipping manifest. In any case a generator of hazardous waste must comply with all federal and state laws and regulations applicable to the generation, storage, transportation, processing and disposal of hazardous waste (whichever laws and regulations are more stringent).

Subd. 7. All containers for the storage of solid waste shall be maintained in such a manner as to prevent the creation of a nuisance or unsanitary condition.

Subd. 8. Solid Waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a manner which is pollution-free, nuisance-free and satisfactory to the Environmental Services Officer.

Subd. 9. Solid wastes shall not be stored outside a private residence, in a residential or urban rural setting, for more than one (1) month without the written approval of the Environmental Services Officer. Solid Waste shall not be stored on public, commercial or business property for more than two (2) weeks, without the written approval of the Environmental Services Officer. Non-putrescible wastes suitable for recycling shall not be stored on public or private property in a manner which creates a nuisance, blight, or health hazard. Compostables shall not be stored on public or private property in a manner which creates a nuisance, blight, or health hazard.

Subd. 10. Solid Waste shall not be stored or disposed of in containers specifically designated for the collection or deposit of recyclables.

Subd. 11. Burning of solid waste shall be prohibited except (a) as allowed at a licensed solid waste facility; (b) as allowed under the terms of a “Permit For Open Burning”, Agency Rules 7005.

Subd. 12. Burying of solid wastes shall be prohibited except as allowed by 17: Department of Agriculture; 17.135.

Subd. 13. All major appliances shall be disposed of with an Agency approved major used appliance processor. No major appliance shall be stored, or disposed of at an unapproved facility.

SECTION VI. COLLECTION AND TRANSPORTATION OF SOLID WASTE

Subd. 1. Unless otherwise provided in these regulations; the owner, lessee and occupant of any premises, business establishment or industry is responsible for the collection and transportation of solid waste from the premises, establishment or industry, and shall collect and remove all solid waste accumulated at the premise, business establishment or industry and transport it to an operation for which permit has been issued by the Agency or IDNR and/or a contract signed by the County. A solid waste collection service shall be responsible for the collection and transportation of all solid waste for which it has been contracted to collect and remove and will transport it to an operation for which a permit has been issued by the Agency, IDNR, and/or a contract signed by the County, at which disposal occurs, or at the solid waste disposal facility that is designated through resolution by the Jackson County Board of Commissioners.

Subd. 2. Vehicles or containers used for the collection and transportation of garbage and other putrescible wastes, or solid waste containing such materials, shall be covered, leak-proof, durable and of easily cleanable construction. These shall be cleaned to prevent nuisances, pollution or insect breeding, and shall be maintained in good repair.

Subd. 3. Vehicles or containers used for the collection and transportation of any solid waste shall be loaded, moved and unloaded in such a manner that the content will not fall, leak or spill therefrom, and shall be covered to prevent blowing of material. Where spillage does occur, the material shall be picked up immediately by the solid waste collector or transporter and returned to the vehicle or container and the area properly cleaned. When the material cannot be immediately picked up or the area cleaned the Environmental Services Officer shall be notified as described.

Subd. 4. Vehicles and containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed, and leak-proof in a safe, sanitary and nuisance free manner. Vehicles shall be properly marked and labeled and be accompanied with a proper shipping manifest, as required by federal and state regulations and statutes.

Subd. 5. Any person, firm or corporation intending to collect and haul mixed municipal solid waste for hire is required to obtain a license before starting business. Any firm, corporation or business collecting and hauling its own waste is required to obtain a license. Vehicles that are transporting only Recovered Materials, concrete, brick, bituminous, trees, or structural metals are excluded from this requirement, unless these materials are being hauled to a County contracted Solid Waste Facility.

Subd. 6. The collection and transportation of solid waste shall be performed in accordance with State rules administered by the Agency and the County.

Subd. 7. A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste within Jackson County Municipalities or service areas which contains:

A. Any yard waste

- B. Any materials which has been designated by the County Board of Commissioners as subject to mandatory recycling, pursuant to Section IV.
- C. Household hazardous wastes. All household hazardous wastes shall be disposed of through the Lyon County Regional Household Hazardous Waste Facility.
- D. Dry cell batteries containing mercury, silver, or nickel-cadmium, or sealed lead acid batteries.
- E. Lead acid batteries (vehicle batteries)
- F. Used oil
- G. Major appliances
- H. Waste tires
- I. Plastic grocery bags or trash bags

Subd. 8. Jackson County may by Ordinance require cities and towns to organize collection as pursuant to Minnesota State Statute 115A.94, Subd. 5.

Subd. 9. The collection and transportation of solid waste shall be performed in accordance with agency rules in addition to the rules provided by this Ordinance.

Subd. 10. Solid Waste must be disposed of at a MPCA permitted facility or IDNR permitted facility. The County reserves the right to designate which agency approved solid waste facility solid waste produced in the County is to be disposed at through resolution by the County Board of Commissioners. A license will not be issued to those hauling to undesignated sites.

SECTION VII. SOLID WASTE DISPOSAL BY SANITARY LANDFILL

A sanitary landfill shall comply with all Agency (MN Rules Chapters 7001 and 7035) and County permit requirements, and the Jackson County Solid Waste Management Plan. The County will not issue a license to a site out of compliance. All other methods of solid waste landfills are prohibited.

See Section IV of this Ordinance for further regulations.

SECTION VIII. SOLID WASTE DISPOSAL BY INCINERATION

A solid waste incinerator shall comply with all Agency and County permit requirements and the Jackson County Solid Waste Plan. The County will not issue a permit to a site out of compliance.

See Section IV of this Ordinance for further regulations.

SECTION IX. SOLID WASTE DISPOSAL BY COMPOSTING

A solid waste composting facility shall comply with all Agency and County permit requirements and the Jackson County Solid Waste Plan. The County will not issue a permit to a site out of compliance.

See Section IV of this Ordinance for further regulations.

SECTION X. TRANSFER STATIONS

A solid waste transfer station shall comply with all Agency and County permit requirements and the Jackson County Solid Waste Plan. The County will not issue a permit to a site out of compliance.

See Section IV of this Ordinance for further regulations.

SECTION XI. DEMOLITION DEBRIS DISPOSAL

Demolition debris disposal shall comply with all Agency permit requirements, local zoning ordinance and the Jackson County Solid Waste Plan. All demolition debris disposed of in Jackson County must be disposed at an Agency permitted site. Demolition waste generated on-site by construction or demolition of structures on an individual property may be buried on-site. Placement of demolition for land improvement projects may be allowed provided a permit for that waste is obtained from the Agency. A record of on-site or land improvement burial shall be filed at the Office of the County Recorder. Permit application forms may be obtained from the Minnesota Pollution Control Agency.

SECTION XII. WASTE TIRES

Subd. 1. Chapters 7001 and 9220 of the Minnesota Waste Tire Permitting Rules are hereby incorporated by reference.

Subd. 2. No more than ten (10) waste-tires may be stored within the boundaries of any residential lot.

Subd. 3. No more than one hundred (100) waste tires may be stored on any non-residential lot except at a properly licensed solid waste facility.

Subd. 4. Exceptions to Subd. 1 and 2 may be allowed when waste tires are utilized outside the building for decorative, recreational, structural, constructural or agricultural purposes where they comply with the requirements of other applicable laws or sections of this Ordinance.

Subd. 5. Waste tires within one thousand (1000) feet of a residence shall be stored or utilized in a manner that prevents water from being retained in the tires.

Subd. 6. Waste tires shall not be placed, stored, left, or permitted to remain in a lake, stream, wetland, sinkhole, gully, waterway, floodplain, or shoreland.

Subd. 7. The owner of the land or premises upon which waste tires are located in violation of this Ordinance shall be obligated to remove them to a licensed solid waste facility, obtain the license required by the Ordinance within one (1) year of the effective date of this ordinance, or such later date approved by the Jackson County Environmental Service Officer.

Subd. 8. The disposal of waste tires in the land is prohibited after July 1, 1985. This does not prohibit the storage of unprocessed waste tires at a collection or processing facility. (115A.904)

Subd. 9. Transfer and Collection of waste tires must meet Agency rules and regulations.

SECTION XIII. SPECIAL WASTES

MAJOR APPLIANCES (WHITE GOODS)

Subd. 1. No person may place major appliances in mixed municipal solid waste or dispose of major appliances in a solid waste processing or disposal facility after July 1, 1990.

Subd. 2. Major appliances must be recycled or reused. Recycling includes:

- A. the removal of capacitors that may contain PCB's
- B. the removal of ballasts that may contain PCB's
- C. the removal of chlorofluorocarbon refrigerant gas; and
- D. the recycling or reuse of the metals.

Subd. 3. All doors, lids, hinges or latches must be removed from major appliances or provide locks to prevent access by the public.

Subd. 4. No more than two (2) discarded appliances may be stored on a residential property for more than 1 year without the written approval of the Environmental Service Officer.

Subd. 5. All major appliances shall be disposed of with an Agency approved major used appliance processor. No major appliance shall be stored, or disposed of on an unapproved facility.

HOUSEHOLD BATTERIES

Subd. 1. Household batteries may not be placed in the mixed municipal solid waste. (e.g. disposable or rechargeable dry cells commonly used as power sources for household or consumer products including, but not limited to, nickel-cadmium, alkaline, mercuric oxide, silver oxide, zinc oxide, lithium, and carbon-zinc batteries, but excluding lead acid batteries).

MOTOR VEHICLE BATTERIES

Subd. 1. No person shall place in mixed municipal solid waste any motor vehicle battery or dispose of after January 1, 1988.

Subd. 2. All batteries must be recycled.

Subd. 3. Any person who transports used lead acid batteries from a retailer must deliver the batteries to a recycling facility.

INFECTIOUS WASTE

- Subd. 1. No person shall place in mixed municipal solid waste any infectious waste.
- Subd. 2. All Minnesota State Statute 116.75 rules and regulations will be followed.

USED OIL

- Subd. 1. A person may not place used oil in mixed municipal solid waste or place oil in or on the land, unless approved by the Agency (115A.916)
- Subd. 2. Any person, firm or corporation intending to collect used oil must meet Agency regulations.

YARD WASTE

- Subd. 1. A person may not place yard waste in or for collection with mixed municipal solid waste.
- Subd. 2. Yard waste shall be disposed of at municipal yard waste compost sites, backyard composting or by agricultural burning.

SECTION XIV. RECYCLING FACILITY/RECYCLING COLLECTION
LICENSE

Subd. 1. Recycling facilities/Recycling Collection Services shall fulfill the requirements established by this Ordinance, provide the annual reports required, be permitted, and shall be exempt from a permit fee.

Subd. 2. Vehicles operated by recyclers must meet the requirements of Section VI.

Subd. 3. No person shall operate a recycling facility nor allow, permit or cause his land to be used as a recycling facility without a valid license issued by Jackson County.

Subd. 4. To obtain a license to operate a solid waste recycling facility the individual must first complete an application available from the Jackson County Environmental Service Office and provide the following:

- A. Plans, specifications, and proposed operating procedures.
- B. Evidence that the property is properly zoned for a recycling facility and that the owner has obtained the necessary building permits.
- C. Evidence of knowledge and compliance with all State and Federal laws including necessary permits or license for operation as a recycler.
- D. Provide a list of recyclable materials accepted at said facility.

Subd. 5. Civic or non-profit organizations, school groups, service clubs or others who collect recyclable materials to support their organization will not need to obtain a license/permit, except as required by the Agency. All submittals, as required by an agency license/permit, shall be submitted to the Environmental Services Office.

Subd. 6. All recyclable materials collected as part of an recycling collection program shall not be disposed in a manner which precludes its reuse, as defined in the recycling definition in Minnesota Statute 115.03., Subd. 25a, and 25b.

Subd. 7. Recyclable materials collected and processed at part of an organized recycling collection program for municipalities, service areas and townships within Jackson County, at a minimum, shall be as outlined below:

- A. Aluminum food and beverage containers, and foil
- B. Tin food cans
- C. Glass bottles and jars (food and beverage)
- D. Plastic bottles and jugs (1-5, plus 7)
- E. Newsprint
- F. Corrugated cardboard
- G. Office paper
- H. Metal pots and pans
- I. Brass fitting and copper tubing

- J. Such other materials which may be designated by the County Board of Commissioners.

Subd. 8. All civic or non-profit organizations, school groups, service clubs, commercial/industrial establishments or others who collect and dispose of recyclable material shall to the extent possible, submit a report to the Environmental Service Office of the type and quantity of material collected. This report shall be submitted by July 15 of each year and account for all material collected and recycled from July 1 of the previous year to June 30 of the reporting year.

SECTION XV. MANDATORY SOLID WASTE COLLECTION/RECYCLABLE MATERIAL SEPARATION

Subd. 1. Municipal Collection/Service Areas: By January 1, 1993, all corporate municipalities in Jackson County shall pass an Ordinance requiring each residential unit and all commercial businesses to have solid waste collection and recyclable separation for collection.

Jackson County through resolution will form service areas. The service areas will be required to have solid waste collection at each residential unit, and require commercial business to have solid waste collection. The service area will have mandatory recycling collection, or alternative recyclable material disposal through drop-off sites. The service area will be required to have recyclable separation for collection. The service areas will be required to have environmentally safe alternative solid waste disposal practices, such as burning or burial as set by Agency rules 7005 and as allowed by 17; Department of Agriculture 17.135.

Subd. 2. Mandatory residential recycling. It shall be unlawful for any owner or occupant of a residential or multi-unit residential building within a Jackson County municipality or service area to generate and deposit for collection mixed municipal solid waste which contains any of the following recyclable materials:

- A. Aluminum food and beverage containers, and foil
- B. Tin food cans
- C. Glass food and beverage containers
- D. Plastic bottles and jugs (1-5, plus 7)
- E. Newsprint
- F. Corrugated cardboard
- G. Office paper
- H. Metal pots and pans
- I. Brass fitting and copper tubing
- J. Such other materials which may be designated by the County Board of Commissioners unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

Subd. 3. Mandatory Commercial Recycling: It shall be unlawful for any owner or occupant of a commercial building within Jackson County municipality or service area to generate or deposit for collection mixed municipal solid waste which contains any of the following recyclable materials:

- A. Aluminum food and beverage containers, and foil
- B. Tin food cans
- C. Glass food and beverage containers
- D. Plastic bottles and jugs (1-5, plus 7)
- E. Newsprint
- F. Corrugated cardboard
- G. Office paper

- H. Metal pots and pans
- I. Brass fitting and copper tubing

Such other materials which may be designated by the County Board of Commissioners unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

Subd. 4. Haulers: A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste within a Jackson County Municipality or service area which contains:

- A. Any yard waste
- B. Any materials which has been designated by the County Board of Commissioners as subject to mandatory recycling, pursuant to this Section.
- C. Household hazardous wastes. All household hazardous wastes shall be disposed of through the Lyon County Regional Household Hazardous Waste Facility.
- D. Dry cell batteries containing mercury, silver, or nickel-cadmium, or sealed lead acid batteries.
- E. Lead acid batteries (vehicle batteries)
- F. Used oil
- G. Waste tires
- H. Plastic grocery bags or trash bags

Subd. 5. Anti-Scavenging Clause: Ownership of the designated recyclable materials set out for curbside collection or deposited at the drop off sites shall be vested in the collector and transporter of recyclable materials designated by the County Board of Commissioners, or by contract through the municipalities. It shall be unlawful and an offense against this Section for any person, firm, or corporation other than the owner, lessee, or occupant of a residential dwelling to pick up said materials for his or her own use.

Subd. 6. Municipalities, Service Areas or Townships within Jackson County that contract with refuse hauler(s)/recyclable collector must contract only with a refuse hauler/recyclable collector who is licensed by Jackson County. A recycling collector(s)/facility(ies) contracted by a municipality or township for collection or processing of recyclable material must accept, at a minimum, recyclables as stated in Section XIV, Subd. 7 of this Ordinance. Contracts must also be consistent with the provision of this subsection.

SECTION XVI. PERMITS AND LICENSE FOR SOLID WASTE COLLECTION AND TRANSPORTATION

All commercial haulers must obtain an annual license. Any firm, corporation or business collecting and hauling its own waste must obtain an annual license. Each vehicle used by Commercial haulers to haul solid waste or any vehicle owned by a firm, corporation or business used to collect and haul its own waste shall be operated only after a Commercial haulers Vehicle Permit has been initially issued by the County Board as provided herein. However, any firm, corporation or business may apply to the Environmental Service Office for an exemption from the above requirements. Exemptions may be granted upon a showing of: 1) the nature of the material being hauled; 2) the frequency of the hauling of the material; and 3) the amount of material to be hauled.

Subd. 1. No licensee or any contractor operating under contract or agreement with the licensee shall commence operations until he/she has obtained at his/her own cost and expense all insurance required herein. All insurance coverage is subject to approval of the County board of Commissioners and shall be maintained by the licensee for the term of the license period. All insurance shall be on occurrence basis form only. A certificate of insurance issued by a company duly licensed to operate within the State of Minnesota.

- A. The licensee shall obtain and maintain for the duration of this license statutory Worker's Compensation Insurance and Employer's Liability Insurance as required under the laws of the State of Minnesota.
 - a. State: Minnesota – Statutory
 - b. Employer's Liability
 - c. Benefits required by Union labor contracts: as applicable.
- B. Comprehensive General Liability (including Premises-Operations; independent Contractor's Protective; Productors and Completed Operations; Broad Form Property Damage). The licensee shall obtain the following minimum insurance coverage and maintain it at all times throughout the life of the license.
 - a. Personal Injury; an amount not less than \$500,000 and aggregate limits of not less than \$1,000,000.
 - b. Property damage liability insurance; an amount not less than \$1,000,000 per occurrence and in the unencumbered aggregate amount of at least \$1,000,000 and shall include coverages for the following hazards:
 - i. X (Explosion)
 - ii. C (Collapse)
 - iii. U (Underground)
- C. A Comprehensive Automobile Liability (owned, non-owned, hired). Bodily Injury and Property Damage (combined limit) amount not less than \$500,000 on any person and aggregate limits of not less than \$1,000,000 for injuries or deaths arising out of any one occurrence.

- D. Insurance certification evidencing that the above insurance is in force with companies acceptable to the County Board of Commissioners and in amounts required shall be submitted to the Environmental Services Officer for examination with which they shall be filed with the permit at the Environmental Services Office. The insurance certificates shall specifically provide that a certificate will not be modified except upon thirty (30) days prior written notice to the environmental Service Officer. Neither the County Board of Commissioner's failure to require or insist upon certificates or other evidence of insurance, nor the County Board of Commissioner's acceptance of the certificate or other evidence of insurance showing a variance from the specified coverage changes the licensees responsibility to comply with the insurance specifications.
- E. The terms used in Subd. 1 to specify the required insurance are to be interpreted according to the ordinary usage of the insurance industry.

Subd. 2. Persons intending to engage in the business of being a Commercial Hauler for hire and any firm, corporation or business, except as exempted collecting and hauling its own waste must file an application with the County Board of Commissioners for initial issuance of a license and vehicle permits, using forms provided by the Environmental Services Office. Such application to the County Board of Commissioners and subsequent annual renewals to the County Board shall contain the following information.

- A. The name and address of the applicant.
- B. A description of each vehicle to be used for solid waste collection, including the vehicle identification, make, model, the capacity of the body or the capacity and number of rollofs.
- C. The date of the last State of Minnesota safety inspection of the vehicle.
- D. The location and address describing the place where the applicant is storing his equipment/vehicle.
- E. Current copy of certificate of insurance, indicating proper insurance coverage for the period of the license, including the name of the insurance carrier, its agent, policy number, and effective dates.
- F. Map of the area of each City, Township and County served.
- G. The type and number of locations served and the estimated weekly weight or volume of solid waste collected.
- H. A copy of approvals if required by the governing body of any municipality to be served, or
- I. A statement by the applicant that shows that he/she:
 - a. Utilizes County designated routes;
 - b. That vehicle operators possess proper Minnesota drivers license
- J. Other information the County may reasonably require, including applicants signature, and appropriate fees for the license and permit(s).

Subd. 3. All vehicles used for collecting and transporting solid waste shall be inspected annually by the Minnesota Department of Transportation and the vehicle shall not be permitted or operated unless it has a current safety sticker affixed by the Minnesota Department of Transportation. Each vehicle, its body or rolloff, may be inspected by the County at least annually to determine compliance with this Ordinance.

Subd. 4. Collectors of solid waste from residential customers must by January 1, 1993, charge for collection on the basis of the volume or weight of waste collected. For single family customers, the collector must offer a minimum 1 can or bag rate. The can, or bag, shall be no larger than 30 gallons in accordance with Minnesota Statute 115A.93.

Subd. 5. License required. No person may collect mixed municipal solid waste for hire without a license from Jackson County where the mixed municipal solid waste is collected. No firm, corporation, or business, except as exempted may collect and haul its own waste without a license from Jackson County.

Subd. 6. The solid waste collection service for hire, and any firm, corporation, or business, except as exempted collecting its own solid waste will provide annually to the Jackson County Environmental Services Officer a report of the following:

- A. Quantities hauled for recyclables and solid waste; (quantities will be reported in cubic yards or tonnages. Recyclables will be reported in cubic yards or tonnages separated by type (e.g.) newsprint, paper, plastic, ferrous and nonferrous metals, glass corrugated, white goods, etc.)
- B. The site where the load(s) of solid waste was disposed;

Omission of the annual report shall be grounds for the termination of the license or denial of license renewal.

Subd. 7. The Solid Waste Officer shall determine that the solid waste transportation vehicles used are properly constructed to be in compliance with the intentions of this Ordinance.

Subd. 8. All permits expire when the vehicle ownership is transferred or on the 31st day of December following issuance. Each permit issued shall be maintained in or on the vehicle and displayed as required by the County. Any such permit may be suspended or revoked by the County Board of Commissioners for good cause.

Subd. 9. The Solid Waste collection service will indemnify, defend and save harmless the Commission, the County, their agents, elected officials and employees from all claims, damages, losses, liabilities, omission on the part of the hauler or its contractors, agents, servants or employees in the performance of or in relation to any of the work or services to be performed or furnished by the hauler under the terms of this Contract.

SECTION XVII. LICENSE FEES

Subd. 1. Approval of an application to the County Board of Commissioners for a license for a solid waste management facility shall be contingent upon the payment to the county of a license fee in the amount specified by the County Board of Commissioners. Such license fees are hereby found to be equal to the cost to the county of processing the license applications and administering and enforcing this Ordinance with respect to said license including periodic inspections.

Subd. 2. The fees prescribed shall be paid by a license applicant with respect to each facility maintained by him/her. All license fees shall be paid annually as a condition for license renewal. Nonpayment of the annual solid waste license fee shall be grounds for denial to issuance of licenses.

Subd. 3. The fees prescribed by the County Board of Commissioners shall be paid by a license applicant with respect to each vehicle collecting and transporting solid waste. All license fees shall be paid annually as a condition for license renewal. Such license fees are hereby found to be equal to the cost to the County of processing the license applications and administering and enforcing this Ordinance with respect to said license including periodic inspections. Nonpayment of the annual solid waste collection and transportation license fee shall be grounds for denial for issuance of licenses.

SECTION XVIII. RATES AND CHARGES FOR SOLID WASTE MANAGEMENT
WHEN PROVIDED BY THE COUNTY

Subd. 1. This subdivision is enacted pursuant to Minnesota Statute 400.08 which grants Jackson County the authority to impose reasonable charges for solid waste management and disposal. The purpose of this section is to establish a method of collection for such charges. Owners, lessees, and occupants of property situated within Jackson County shall pay for solid waste management services to their properties provided by the County or through its contractor, according to a schedule of charges approved from time to time by resolution of the Board of Commissioners.

- A. Landfill fees are determined annually by Sanifill Inc., owner/operator of the Dickinson County Sanitary Landfill, and as per contract agreed upon by the County Board of Commissioners.
- B. Service fees may be established by the County Board of Commissioners by resolution for solid waste management services provided to the various parcels of land in the County, and such charges may result in an assessment levy payable with real estate taxes. All rates and charges shall be uniform in their application to use and service of the same character and quantity. A copy of the current rate schedule shall be kept on file in the Office of the County Auditor. If no new rate schedule for solid waste management services is adopted in any year, the rate schedule for the previous year will remain in effect. In establishing or revising the rate schedule, the Board may take into account all factors relevant to solid waste management and disposal. Such factors include, but are not limited to, the character, kind and quality of service and of solid waste, method of deposition, the number of people served at each place of collection, and all other factors that enter into the cost of providing the service including, but not limited to, public education, recycling programs, solid waste management facilities operating and debt.
- C. Surcharges can be determined by the County Board of Commissioners by resolution. Solid Waste collection services hauling within Jackson County, shall pay a surcharge fee based on total cubic yards/tonnage of solid waste collected in Jackson County.
- D. All service fees and surcharges may be billed by the County pursuant to resolution by the County Board of Commissioners.

Subd. 2. Users of facilities. Users of solid waste management facilities provided by the county, (or the solid waste management facility that is designated by resolution by the County Board of Commissioners) by and through its contractor or by facilities licensed in the County or by those who collect solid waste from sites, premises, owners, lessees, or occupants of property situated within or outside the County shall pay charges for the use of said facilities according to resolutions established by the County Board of Commissioners; and, the fee rates will be according to the definition of this Ordinance for "Multi-county mixed waste," and, for

solid waste generated within the County. Established tipping fees are adopted in resolution by the County Board of Commissioners and kept on file in the office of the County Auditor. All fees charged for solid waste disposal shall be paid on a monthly basis according to the billing schedule at the facility.

Subd. 3. Service Area. This section is enacted pursuant to Minnesota Statute 400.08 which grants Jackson County the authority to establish and determine the boundaries of the solid waste management areas in the County. The boundaries of the County shall constitute the boundaries of the solid waste management service area.

Subd. 4. Solid Waste Fund for operations provided by the County. A special account on the official books of the County is hereby created which shall be known as the Solid Waste Fund. Monies collected pursuant to this Ordinance and all receipts from the sale of real or personal property pertaining to solid waste management systems and the proceeds of all gifts, loans, and issuance of bonds for the purpose of the system shall be credited to the Solid Waste Fund. All costs of acquisition, construction, enlargement, improvement, repair, supervision, control, maintenance, post closure care and maintenance and operations of the solid waste management system, and facilities which are owned and operated by the County, but not those owned and operated by its licensee or contractor, shall be charged to the Solid Waste Fund.

SECTION XIX. LITTER

Subd. 1. A person who unlawfully places any portion of solid waste in or on public or private lands, shorelands, roadways, or waters is subject to a civil penalty.

Subd. 2. A State, political subdivision or private person that incurs costs as described in Minnesota State Statute 115A.99 may bring an action to recover the civil penalty, related legal, administrative, and court costs, and damages for injury to or pollution of the lands, shorelands, roadways, or waters where the waste was placed if owned or managed by the entity bringing the action.

SECTION XX. ENFORCEMENT AND INSPECTIONS

Subd. 1. Inspection and evaluation of waste facilities shall be made by the Environmental Services Office or Agency in such frequency as to insure consistent compliance by the facilities with the provisions of this Ordinance. Each licensee shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the date when the corrections shall be accomplished. Each licensee shall be required to allow free access to authorized representatives of the Solid Waste Department, County Board, Agency, or to authorized representative of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this Ordinance, or any other applicable statute, Ordinance or regulation.

Subd. 2. The County shall have the right to inspect private property to determine if a waste facility is in accordance with the provisions of this Ordinance.

Subd. 3. Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive, than comparable conditions imposed by any other provision of this Ordinance or any other applicable law, Ordinance, rules and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety and general welfare shall prevail.

Subd. 4. The Environmental Services Office shall be responsible for the administration and enforcement of this Ordinance.

SECTION XXI. VIOLATIONS AND PENALTIES

Subd. 1. Misdemeanor. Any person who shall violate or fails, neglects or refuses to comply with the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished therefore as provided by Minnesota Law. A separate offense shall be deemed committed upon each separate day during or on which a violation occurs or continues. The county is responsible for the enforcement of this Ordinance.

Subd. 2. Equitable Relief. In the event of a violation or a threat of violation of this Ordinance, the Jackson County Attorney may take appropriate action to enforce this Ordinance, including but not limited to, application for injunctive relief, action to compel performance or other appropriate action in District Court, if necessary, to prevent, restrain, correct, or abate such violations or threatened violations.

Subd. 3. Costs as Special Assessment. If a licensee, owner, or operator of a waste facility fails to comply with the regulations in this Ordinance, Jackson County may take the necessary steps to correct such violations or terminate the facility and the costs thereof may be recovered in a civil action or may be certified, at the discretion of the County Board of Commissioners, to the Jackson County Auditor as a special assessment against real property.

Subd. 4. Suspension of License. Any license issued pursuant to this Ordinance may be suspended for not longer than sixty (60) days by the County Board of Commissioners for violation of any provision of this Ordinance. Suspension shall not occur earlier than ten (10) calendar days after written notice of suspension has been personally served on the licensee by certified mail with return receipt. Such written notice shall contain the effective date of suspension, the nature of the violation or violations constituting the bases for the suspension, the facts which support the conclusion that a violation or violations have occurred and a statement that the licensee is entitled to a hearing provided that he request such hearing in writing by serving said request personally on the Board within ten (10) calendar days, of service of such notice, exclusive of the day of service. If the licensee fails to request a hearing within the time prescribed, he/she shall forfeit any right to a public hearing. Following receipt of a request for a hearing, the County Board of Commissioners shall set a hearing date which will be set at a time convenient for the Board. The hearing shall be conducted pursuant to the procedures established in Section XII, Subd. 6, titled "hearing" of this Section. If the suspension is upheld and the operator has not demonstrated within the sixty (60) day period that full compliance with the Ordinance has been attained and that such compliance will be continued, the County Board of Commissioners may serve Notice of Suspension once again or initiate the revocation procedures in Section XXI., Subd. 5.

Subd. 5. Revocation of License. Any license issued pursuant to this Ordinance may be revoked by the County Board of Commissioners for violation of any provision of this Ordinance. Revocation shall not occur earlier than ten (10) calendar days after written notice of revocation has been personally served on the licensee, or, if a hearing is requested, until the written decision of the Board has been served on the licensee by registered mail. Such written notice shall contain the effective date of the revocation, the nature of the violation or violations constituting the basis for revocations, the facts which support the conclusions that the violation

or violations have occurred, and a statement that the licensee is entitled to a hearing provided that he request such hearing in writing by personally serving said request to the Board of Commissioners within (10) calendar days, of service of such notice, exclusive of the day of service. If the licensee fails to request a hearing within the time prescribed, he/she shall forfeit any right to a public hearing. Upon receipt of a written request for a hearing, the County Board of Commissioners shall set a hearing not earlier then ten (10) days and not later then thirty (30) days from the date of receipt of the request.

Subd. 6. Hearings. Whenever a hearing is requested in regard to an application, renewal, suspension or revocations of a license, the hearing shall be governed by the following procedures:

- A. Hearing Officer: The Jackson County Board of Commissioners shall have the power to conduct public hearings pursuant to this Section. By resolution, the County Board of Commissioners may appoint a Hearing Officer to assist the County Board. If the individual conducts hearings on behalf of the County Board he/she shall submit to the County Board of Commissioners, in writing, Findings of Fact, Conclusions of Law and recommendations, and the County Board of Commissioners may base its decision on this report.
- B. Notice of Decision: The County Board of Commissioners shall notify the applicant or licensee in writing as to its decision within five (5) working days after a decision is reached.
- C. Procedures: All hearings shall be conducted in the following manner:
 - a. The court reporter shall record and transcribe, if necessary, a record of the hearing.
 - b. All testimony shall be sworn under oath.
 - c. The rules of evidence shall be informal. All relevant evidence, subject to the County Board of Commissioner's or hearing officer's discretion may be reviewed.
 - d. The county shall present evidence first.
 - e. The applicant or licensee, or his counsel, if represented, may cross-examine all witnesses testifying in the proceedings.
 - f. The attorney for the County Board of Commissioners may cross-examine all witnesses testifying in the proceedings.
 - g. The decision of the County Board of Commissioners shall be based on the evidence presented at the hearing before the County Board or on the Findings of Act, Conclusion of Law and Recommendations of the hearing officer.
 - h. If the applicant or licensee fails to appear at the hearing, he shall forfeit any right to a public hearing before the County Board of Commissioners or hearing officer.
 - i. Any applicant or licensee aggrieved by a decision of the County Board of Commissioners shall have the right to appeal to the District Court in

the County of Jackson on questions of law and fact within thirty (30) days of the date of the decision.

Subd. 7. Removal of Suspension: In the case of a suspension, upon written notification from the licensee that all violations for which the suspension was invoked have been corrected, the Environmental Services Office shall re-inspect the site, facility, or solid waste collection service within five (5) working days after receipt of the notice for the licensee. If the Environmental Services Office finds on such re-inspection that the violations constituting the grounds for suspension have been corrected, the Environmental Services Office shall immediately terminate the suspension by written notice to the licensee and the County Board.

SECTOIN XXII. VARIANCES

Upon written application by the applicant or operator, the County Board may grant variances from the provisions of this Ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this Ordinance.

A variance may be granted by the Board of Commissioners after a public hearing where the Board determines that enforcement of this Ordinance would cause the applicant undue hardship, or that the Ordinance cannot be complied with due to technological impossibility or economic unreasonableness. Such a variance shall not be granted for a period in excess of two years, but may be renewed upon application of the applicant and after public hearing. A variance may be revoked by the Board at the public hearing prior to expiration of the variance. An application for a variance shall be accompanied by a plan and time schedule for achieving compliance with the Ordinance. Prior to any public hearing held by the Board under this provision, persons who may be adversely affected by the granting of the proposed variance shall be given at least thirty (30) days notice to said public hearing.

SECTION XXIII. NONCONFORMING SITES AND FACILITIES AND COLLECTION
OF SOLID WASTE

Solid Waste management facilities, and any firm, corporation, or business collecting its own solid waste in existence on the effective date of this Ordinance and operation of such facilities shall conform to the provision of this Ordinance no later than 60 days after the adoption of the Ordinance, or terminate operations no later than the date, unless granted a variance.

Solid waste collection services for hire in existence on the effective date of this Ordinance shall conform to the provisions of this Ordinance no later than January 1, 1993, unless granted a variance.

SECTION XXIV. ADDITIONAL REQUIREMENTS

For the purpose of protecting the public health, safety, and welfare, the County Board may impose additional requirements consistent with the intent of this Ordinance for the operation of solid waste management sites or facilities.

SECTION XXV. SEVERABILITY

It is hereby declared to be the intention of the County Board of Commissioners that several provisions of this Ordinance be severable in accordance with the following:

Subd. 1. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.

Subd. 2. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular structure, site, facility, operation or solid waste collection service, such judgment shall not affect the application of said provision to any other structure, site, facility, operation or solid waste collection service, not specifically included in said judgment.

SECTION XXVI. PROVISIONS ARE ACCUMULATIVE

The provisions of this Ordinance are accumulative and additional limitations upon all other laws and ordinances heretofore passed or which may be passed hereafter, covering any subject matter in this Ordinance.

SECTION XXVII. NO CONSENT

Nothing contained in this Ordinance shall be deemed to be a consent, license, or permit to locate, construct, operate or maintain any site, facility or operation, or to carry on any activity.

SECTION XXVIII. OTHER ORDINANCES AND REGULATIONS

Nothing in this Ordinance shall preclude any local unit of government from adopting stricter regulations than this Ordinance.

SECTION XXIX. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication according to law.

PASSE ~~4~~ THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY
 THIS AP DAY OF &bw//, 1992.

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Chairman, Board of Commissioners

Attest:

(1 '71) 1 / { 1 1/2 / 44 J
 County Auditor

Approved, as to Form and Execution:

Mark D. Steffen
 County Attorney

RESOLUTION
TO APPROVE AND ADOPT THE
JACKSON COUNTY SOLID WASTE MANAGEMENT ORDINANCE

WHEREAS, Jackson County recognizes the need to protect the public's health, prevent public nuisances, and prevent contamination of the groundwater and other environments from solid waste through control of number, location and operation of such facilities; and

WHEREAS, to assure all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future; and

WHEREAS, to support activities that will promote use and reuse of materials found in solid waste that would otherwise be disposed in ways that would not recapture the useful characteristics of its components;

WHEREAS, The County Board of Commissioners of the County of Jackson under the authority provided in Chapter 115, 115A, 116, 145.22, 145.23, 375, 400, 561.01 and 609.74 of the Minnesota State Statutes and applicable rules authorizing and providing for County Solid Waste Management, does ordain;

NOW THEREFORE, BE IT RESOLVED, Jackson County Board of Commissioners hereby approves and adopts the Jackson County Solid Waste Ordinance.

BE IT FURTHER RESOLVED, Jackson County **will** maintain, implement and enforce this Ordinance by following Minnesota State Statutes and Rules.

Adopted this 10 day of February 1992, by
Jackson County Board of Commissioners.

Y. W. O-£r=
Jackson County Board of Commissioner Chairman,
Norman Pohlman

Attest by: 2 J L L A j
Jackson County Auditor, Luther F. Glaser

JACKSON COUNTY COMMERCIAL RECYCLING RESOLUTION

WHEREAS, the 1989 Minnesota legislation mandated a statewide waste reduction and recycling program effective October 4, 1989; and

WHEREAS, Minnesota Statutes Chapter 400.09 authorizes Jackson County to impose reasonable charges for solid waste management and disposal; and

WHEREAS, it is in the opinion of the County Board that all owners or occupants of commercial buildings within Jackson County which have the potential to generate solid waste be mandated to pay a recycling fee for the waste they generate, whether or not they are currently recycling, during their occupation, employment or enterprise wherein merchandise is exhibited or sold, or where services are offered for compensation during normal business hours. This includes non-farm business (not meeting the definition of farm in the Jackson County Development Code), public buildings, churches, other property exempt from real estate taxes, and

WHEREAS, it shall be unlawful for any owner or occupant of a commercial building within Jackson County to generate or deposit for collection mixed municipal solid waste which contains any of the county designated recyclable material.

NOW THEREFORE BE IT RESOLVED, that the Jackson County Board of Commissioners hereby determined that Commercial Recycling be implemented in Jackson County beginning January 1, 1993, and

BE IT FURTHER RESOLVED, that each municipality within Jackson County shall be established as a separate service area subject to all the requirements of the Jackson County Solid Waste Ordinance.

BE IT FURTHER RESOLVED, that a \$3 per month (\$36 per year) Recycling Processing Assessment be placed on all commercial property through the avenue of placing on property taxes, with the exception of: empty commercial lots; radio or TV. towers, water towers, utility substations, warehouse or storage buildings, or those exempted by the County Board of Commissioners. Recycling processing assessment fees will be remitted to the licensed or contracted recycling center which is processing the commercial recycling.

BE IT FURTHER RESOLVED, that all County licensed garbage haulers shall charge for the collection of recyclable material on their monthly garbage bill a minimum of \$8 per month/collection site or 15% of garbage rate. Recycling collection monies will be turned over to the County by a date set by the County Board. Jackson County will remit this collected money to those haulers doing the collecting and hauling of recyclable materials to a Jackson County licensed or contracted recycling center.

BE IT FURTHER RESOLVED, that commercial recycling will require all corrugated cardboard to be broken down and office paper be placed in clear plastic bags. The County will make available the designated 30 gallon yellow recycling containers for half the cost to commercial businesses.

BE IT FURTHER RESOLVED, that this Resolution supersedes the existing Jackson County Commercial Recycling Resolution passed October 26, 1998 and the Jackson County Commercial Recycling Resolution passed November 23, 1992

BE IT FURTHER RESOLVED, that the County will review commercial recycling annually

Passed this 8 1 day of December, 1998

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Edward G. Yonker 21
Chairman, Jackson County
Board of Commissioners

ATTEST: (GG cJcolJY)

Janice Hendrickson
Coordinator, Jackson County

SECTION X. SOLID WASTE MANAGEMENT

This Section identifies the authorization and provision for County Solid Waste Management, establishing powers and duties in connection therewith, establishing standards for and regulating solid waste management operations within the County of Lincoln.

Subdivision 100.0 Purpose and General Provisions

101.0 Purpose. The Lincoln County Board of Commissioners has adopted Solid Waste Management provisions to:

- A. Protect the public's health; prevent public nuisances and contamination of soil, surface water, ground water and other environments of Lincoln County from waste through the control of number, location and operation of waste management activities.
- B. Preserve and protect land and water resources.
- C. Assure that all persons are informed and responsible for their actions regarding waste that may affect the environment and the community now and in the future.
- D. Support activities that will promote the reduction, reuse and recycling of materials found in waste.
- E. Augment, supplement and support existing Lincoln County and State of Minnesota controls on waste.

102.0 Jurisdiction. The jurisdiction of this Ordinance shall include the unincorporated areas within Lincoln County, Minnesota; and the incorporated areas of Lincoln County where Minnesota Stat. § 115A apply.

103.0 Enforcement. The Administrator is responsible for the administration and enforcement of this Ordinance. Any violation of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor and shall be punishable as defined by law.

104.0 Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.

105.0 Additional Requirements/Waivers. For the purpose of protecting the public health, safety, and welfare, the County Board may impose additional requirements consistent with the intent of this Ordinance for the operation of solid waste management sites or facilities. The County Board may waive any licensing, construction, or operation

requirements based on the characteristics of the waste, the site or the proposed service, provided such waiver will not endanger the health or the safety of the public.

106.0 No Consent. Nothing contained in this Ordinance shall be deemed to be a consent, license or permit to locate, construct, operate or maintain any site, facility or operation, or to carry on any activity.

107.0 Other Ordinances and Regulations. Nothing in this Ordinance shall preclude any local unit of government from adopting more restrictive regulations than this Ordinance.

Subdivision 200.0 Rules and Definitions

201.0 Interpretation of Terms and Abbreviations. Unless specifically altered, terms and abbreviations used in this Ordinance shall be interpreted in a manner consistent with Minn. Stat. § Chapters 115, 115A, 116, 375, 400, 561.01, 609.74 and regulations of the Agency, which have been or hereafter may be adopted under those provisions. Terms and abbreviations used herein which are not specifically defined by law shall be construed in accordance with the context and professional usage.

202.0 Definitions. See Section I, Subdivision 1700.0.

Subdivision 300.0 Administration and Enforcement

301.0 General Conditions. All waste in Lincoln County shall be stored, collected, transferred, transported, processed and disposed of, or reclaimed in a manner consistent with the requirements of this Ordinance and any applicable State and Federal laws. The County is responsible for enforcement of these regulations and encourages cooperation of municipalities, which may adopt these regulations for use in local laws, ordinances or regulations.

302.0 Solid Waste Administrator. The Lincoln County Solid Waste Administrator shall be appointed by the Lincoln County Board of Commissioners.

303.0 Authority. The Administrator has been given the authority by the Lincoln County Board of Commissioners to implement and carry out the provisions of this Ordinance including, but not limited, to the following:

303.1 Inspection and Investigation. To inspect operations to determine compliance with this Section and to investigate complaints about violations of this Ordinance.

303.2 Review. To review and consider all license applications and supporting materials which are referred to the Administrator for operations within the County, and after consideration, to recommend in writing with documentation to the County Board that a license may be granted or denied.

303.4 Studies. To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including, but not limited to methodology, chemical and physical considerations and engineering.

303.5 Implementation of County Solid Waste Programs.

- A. To implement all programs as proposed by the approved, and as amended County Solid Waste Management Plan.
- B. To plan, implement and administer all County operated waste abatement facilities.
- C. To advise, consult and cooperate with the public and other governmental agencies in furtherance of the purpose of this Ordinance.

304.0 Variances. Upon written application of the responsible persons, to the Administrator, the County Board of Adjustments may grant variances from the provisions of this Section to promote the effective and responsible application and enforcement of the provisions of this Ordinance. If such variance would result in noncompliance with Agency rules, a variance application must be filed with the Agency. Refer to Subdivision 306.0 of this Section for variance proceedings.

305.0 Appeals. The Lincoln County Board of Commissioners shall act as a Board of Appeals. Any person wishing to appeal any action taken by the County pursuant to this Ordinance may request a hearing. The County Administrator must receive the appeal within thirty (30) days, exclusive of the day of receipt of notice, after the person received notice of the action taken by the County. The request shall be in writing stating the grounds of the appeal. If a person fails to submit an appeal within the required time period, the person forfeits any opportunity for a hearing. The County Board of Appeals shall schedule a hearing within thirty (30) days of receipt of the notice of appeal, and shall send to the appellant by mail notice of the hearing date, time and location. If the appellant or his or her authorized representative fails to attend the hearing, the appellant forfeits any right to hearing. The County Board of Appeals shall send to the appellant by mail notice of the decision by the County within thirty (30) days after the close of the hearing. Any time limitations may be extended thirty (30) days by resolution of the County Board and longer upon agreement between the appellant and the County Board. See Subdivision 306.0 of this Section for additional appeals proceedings.

306.0 Permit, Variance and Appeal Proceedings. Unless otherwise stated herein, the following procedures shall apply to all:

- A. Permit applications brought before the Board of Adjustment;
- B. Variance applications brought before the Board of Adjustment; and
- C. Appeals brought before the County Board of Appeals.

306.1 Once all application materials are received, the County Board of Adjustment/Appeals has up to sixty (60) days to act.

- A. The County may refer the application to the Agency, the County Environmental Office and the municipality or township affected within fifteen (15) days for its recommendations.
- B. The County Board of Adjustment/Board of Appeals may, at its discretion, hold a public hearing on a permit application, appeal and/or variance request. Notice of public hearing shall be posted in a public location in the Lincoln County Courthouse and published at least once in the County's legal newspaper at least ten (10) days prior to the hearing.
- C. Any hearings or meetings of the County Board of Adjustment/Board of Appeals shall be held under such rules and procedures as the County Board of Adjustment/Board of Appeals shall establish to ensure the presentation of evidence, discussions and deliberations in an orderly manner.
- D. County Board of Adjustment/Board of Appeals decisions shall be by resolution with findings of fact that support the decision.
- E. For good cause, or upon agreement with the applicant, the County Board of Adjustment/Board of Appeals may extend the time limitations herein by resolution.
- F. As part of its deliberations at its discretion, the County Board of Adjustment/Board of Appeals may request additional information from the applicant. All time periods shall be tolled from the date of the request until compliant by applicant, subject to dismissal of the application. If applicant does not, without good cause, comply within ninety (90) days.

306.2 Decisions by the County Board of Adjustment for permits and variances, and by the County Board of Appeals for appeals shall be based upon:

- A. Compliance with this Ordinance and approved variances.
- B. Compliance with other applicable County ordinances and plans, including but not limited to the Solid Waste Management Plan, Comprehensive Local Water Management Plan and Shoreland Management Ordinance.
- C. Compliance with Agency Rules, Local, State and Federal law.
- D. Recommendations of Local Government.

- E. Recommendations of persons affected by the proposal as conveyed at a public hearing, if held.
- F. Determination of need for the facility or activity.
- G. Consideration of the adequacy of existing public services and additional services necessary for the facility or activity.
- H. Whether the activity or facility requested is beneficial to the County and its citizens or merely to the applicant.
- I. The hazards, including potential risks and hazards, to persons, property, soil, water, animal and plant life the purposed activity or facility presents, both presently and in the foreseeable future.
- J. No permit, variance or appeal shall be issued without strict compliance of parts A, B, and C above. The remaining considerations shall be considered and weighed by the County Board of Adjustment/Board of Appeals in determining whether the proposed activity or facility's necessity, benefits and safety justify any hazards it may present.

306.3 In connection with the issuance of any permit, variance or appeal herein, the County Board of Adjustment / Board of Appeals may impose conditions, restrictions or specifications that it determines are necessary to ensure compliance with this Section and the safety of persons, property, water, animal and plant life.

306.4 In all proceedings herein, the applicant is deemed to have the burden of proof with regards to any issue.

307.0 Inspections. All property affected by this Section shall be subject to inspection of the County in accordance with Minnesota law. The County may collect samples for evidence or laboratory examination as deemed necessary for enforcement of this Section. No person shall refuse to permit the County's officers to inspect any premises. No person shall molest or resist the County's officers in their discharge of duty for protection of the public health or waters of the State.

308.0 Non-conforming sites and facilities. The rules, regulations and requirements of the County and the Agency shall govern the termination and abandonment of each non-conforming waste facility and activity within the County. Owners or operators, or both, of real property being used for waste disposal purposes shall be responsible for satisfactorily completing termination and abandonment procedures.

309.0 Illegal Dumping.

309.1 It shall be a violation of this Section for any person to dispose of waste within Lincoln County at any place except where authorized by this Section.

309.2 It shall be a violation of this Section for any person to operate an open dump. A site operated as described in Subdivision 501.1 of this Section will not be considered an open dump per this provision. The owner of any open dump in existence at the time this Ordinance is enacted shall cease operations and close the dump in accordance with the following provisions. The owner shall:

- A. Close access to the site and prohibit the public from using the site. Signs indicating that dumping is not allowed shall be posted.
- B. Stop burning, if present; and remove all chemical containers.
- C. Remove waste that may cause pollution and transport to an appropriate permitted facility.
- D. Eradicate rodents.
- E. Divert surface water drainage around and away from the disposal area.
- F. Compact the waste and cover it with at least two (2) feet of compacted cover material.
- G. Seed the cover material so that adequate shallow rooted vegetation is present.
- H. Establish and maintain a final grade sufficient to promote water runoff without excessive erosion.

310.0 Violations and Penalties. All provisions of this Section shall be enforced according to this Subdivision.

310.1 Misdemeanor. Any person within the County who violates this Section, or who shall permit such a violation to exist on the premises under his or her control, or who shall fail to take action to abate the existence of the violation within the specified time period when ordered or notified to do so by the County, shall be guilty of a misdemeanor, and upon conviction shall be punished as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

310.2 Equitable Relief. In the event of a violation or a threat of violation of this Section, the County Attorney may take appropriate action, including application for injunctive relief, action to compel performance, or other appropriate action in court, if necessary, to prevent, restrain, correct, or abate such violations or threatened violations. In the event the County prevails on any issue, it shall be awarded attorney's fees and costs.

310.3 Civil Action or Cost as Special Tax. If a person fails to comply with the provisions of this Section, the County may recover costs incurred for corrective action in a civil action in any court or competent jurisdiction and/or, at the discretion of the County, the costs

may be certified to the County Auditor as a special tax against the real property. County remedies herein are not deemed exclusive.

311.0 Solid Waste Assessment. The County Auditor shall each year assess a solid waste management service charge per parcel payable with real estate taxes. The service charge for Residential parcels and for Non-Residential parcels shall be set by the County Board of Commissioners. On or before October 15th each year, the County Board shall certify to the County Auditor all unpaid outstanding per parcel charges and a description of the lands against which the charges arose. It shall be the duty of the County Auditor, upon order of the County Board to extend the assessment with interest rate provided for in Minn. Stat. § 279.03, subd. 1, upon the tax rolls of the County for the taxes of the year in which the assessment is filed. For each year ending October 15th, the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the State of Minnesota. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under general laws of the State. Unpaid charges on tax exempt properties may be collected in Small Claims Court or through such other means as may be approved by the County Attorney.

Subdivision 400.0 Waste Storage Disposal

401.0 Waste Storage.

401.1 General. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises, is responsible for the satisfactory storage of all solid waste accumulated at that premise, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection, transportation and disposal of waste.

401.2 Garbage Containers. Garbage and similar putrescible and mixed putrescible solid waste shall be stored in:

- A. Durable, rust-resistant, nonabsorbent, watertight, rodent-proof, and easily cleanable containers, with close-fitting, fly-tight covers and having adequate handles or bails to facilitate handling, or;
- B. Other types of containers acceptable to the municipality and conforming to the intent of this regulation.

401.3 Refuse Storage Containers. Refuse shall be stored in durable containers or as otherwise provided in this Section. Where garbage and similar putrescible wastes are stored in combination with non-putrescible refuse, containers for the storage of the mixture shall meet the requirements for garbage containers.

401.4 Toxic and Hazardous Waste. Toxic or hazardous wastes shall be stored in durable, leak-proof containers and shall be “painted and marked” so as to easily identify the container as a toxic or hazardous waste, (e.g. a yellow band that encircles, at a minimum, the center one-third (1/3) of the container) consistent with federal and state regulations (MN Rules Ch. 7045). All previous lettering and numbering will be obliterated from the container. The container will be marked within the yellow band, or other easily identified area, using a permanent marker as follows:

- A. The chemical name of the waste;
- B. The UN or NA Number;
- C. The contaminants present by percentages;
- D. The start date;
- E. The generators name and address; and
- F. The generators EPA or Agency Identification Number.

401.5 Household Hazardous Waste. No person shall place household hazardous wastes into a container for solid waste or recycling collection. All household hazardous wastes shall be disposed of through a permitted Household Hazardous Waste Facility.

401.6 Maintenance of Waste Storage Containers. All containers for the storage of waste shall be maintained in such a manner as to prevent the creation of a nuisance or menace to public health. Containers that are broken or otherwise fail to meet requirements of this Section shall be replaced.

401.7 Waste Materials too Large for Containers. Waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a pollution and nuisance free manner which is pollution-free, nuisance-free, and in compliance with the regulations of the Federal, State, and Local Governments, and their regulatory agencies.

401.8 Recycling Containers. Waste shall not be stored or disposed in containers specifically designated for the collection or deposit of recyclables.

401.9 Garbage Storage.

- A. Wastes shall not be stored outside a private residence, in a residential or urban rural setting, for more than one (1) month without the written approval of the Administrator.
- B. Solid waste shall not be stored on public, commercial or business property for more than two (2) weeks, without the written approval of the Administrator.

- C. Non-putrescible wastes suitable for recycling shall not be stored on a public or private property in a manner which creates a nuisance, blight or health hazard.
- D. Compostables shall not be stored in public or private property in a manner which creates a nuisance, blight or health hazard.

Subdivision 500.0 On-Site Disposal of Solid Waste

501.1 Farm Households. A person who owns or operates land used for farming may bury, or burn and bury, solid waste generated from a person's household located on the farm land or as a part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on the land used for farming from which it was generated.

501.2 Exclusion. Subdivision 501.1 does not apply if:

- A. Regularly scheduled pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the County Board of Commissioners.
- B. To the following materials from land disposal:
 - 1. Waste Tires (Refer to Subdivision 701.0)
 - 2. Waste Appliance (Refer to Subdivision 702.0)
 - 3. Waste Oil (Refer to Subdivision 703.0)
 - 4. Household Hazardous Waste (Refer to Subdivision 704.0)
 - 5. Lead Acid Batteries (Refer to Subdivision 706.0)
 - 6. Other materials as identified by Minnesota Statute and Rules.

502.2 Open Burning of Waste. Any burning of waste at a site shall be prohibited except as allowed by Agency rules, Minn. Stat. § 17.135, and any local ordinance, if applicable.

Subdivision 600.0 Waste Facility and Activity Permit Requirements.

601.0 Waste Facilities or Activities Which Require Permits. Unless otherwise provided in this Section, no person shall cause or allow real or personal property under their control to be used for waste management purposes, except at an operation for which a permit has been granted by the County. For the purposes of this Section, waste management activities which require permits include, without limitation, the following activities.

601.1 Operation of Mixed Municipal Solid Waste (MSW) Land Disposal Facilities. (Appendix A)

601.2 Operation of Demolition Waste Land Disposal Facilities. (Appendix B)

601.3 Operation of Incinerator Facilities (Appendix C)

601.4 Operation of MSW Transfer Station, Recycling or Composting and Co-composting Facilities (Appendix D)

601.5 Collection and Transportation of Waste (Appendix E)

602.0 Waste Activities Which Do Not Require a County Permit.

602.1 A permit shall not be required for the disposal of solid waste from a single household on the household's property as allowed in Subdivision 501 of this Section.

602.2 A permit shall not be required for the disposal of yard waste by composting from a single household on the households property.

602.3 Generators of recyclable solid waste shall not need a permit for any materials delivered to a permitted recycling facility.

602.4 No generator of waste shall be required to obtain a permit for storage or disposal of waste as long as the waste is delivered to a collector, transporter or disposal facility permitted by this Section, if applicable, and is stored and transported in compliance with Agency regulations (MN Rules Chap. 7045), State and Federal law.

602.5 A permit shall not be required for waste management activities involving organic waste from agricultural production or the keeping of animals.

602.6 A permit shall not be required for the operation of individual septic systems or sanitary and wastewater sewage disposal systems and treating facilities operated by a municipality.

602.7 The County Board of Commissioners may, after consideration of the purpose and intent of this Section and the Solid Waste Management Plan, at its sole discretion, waive the permit requirement for any waste management activity.

603.0 Pre-Application Requirements. Prior to the County Board of Adjustment's consideration of the initial application for a waste facility or activity permit governed by this Section, the applicant shall submit to the Administrator for review a needs assessment.

A. The Needs Assessment shall show

1. The name and address of the owners and operators of the proposed site and facility.
2. Proposed location of the facility or activity.
3. Geographical areas expected to be served by the proposed facility or activity.
4. The expected life of the facility.
5. Current and projected population of the area(s) to be served for expected life of the facility.
6. The proposed operating hours and number of employees of the facility.
7. A description of the type of vehicles and number of vehicles using the facility.
8. The anticipated type, quantity and source of waste to be handled at the facility.
9. The type and amount of equipment to be provided for the operation of the facility.
10. A description of the intended operating procedures.

B. Once all requirements of the pre-application have been met and received, the Administrator shall have forty-five (45) days to file a recommendation with the applicant and County Board of Adjustment.

604.0 Permit Applications. Following pre-application approval, any person applying for a permit to operate a waste management facility or activity in the County shall complete and submit to the County a complete application on a form provided by the County. The application shall not be considered complete until the County receives all applicable fees and materials required by this Subdivision, and any subsequent Subdivision and Appendix(s) relevant to the specific waste management permit being requested.

605.0 Plans, Specifications and Reports. Depending on the complexity and size of the facility or activity and the type of waste to be managed, the applicant may be required to submit complete sets of plans, specifications and reports prepared by a professional engineer and/or architect licensed in Minnesota for evaluation by the County.

606.0 Standards of Appendix(s) Shall Guide Permit. The Subdivision and the Appendix(s) adopted as part of this Section shall guide the applicant in:

- A. The plan and specification preparations and review by the County.
- B. The construction and operation of the waste management facility.
- C. The conditions for closure and post-closure of the waste management facility and activity.
- D. The applicant and permittee shall abide by all specifications and requirements of the applicable sections and Appendix(s).

607.0 Additional Information Required by County. The applicant shall submit additional data requested by the County, including, but not limited to, scientific studies and reports. The County shall provide the applicant with an approved list of professional engineers licensed in Minnesota and other consultants from which the applicant can choose. All expenses incurred in providing the additional data shall be at the expense of the applicant. The County may waive a requirement for submitting certain information if such a waiver will not endanger the health or safety of the public.

608.0 State Permitting Information. All submittals to the State during the State permitting and/or licensing process of waste management facilities shall also be submitted to the County. Copies of all State and Federal permits and licenses shall also be submitted.

609.0 Permit Review Process. Upon receipt of a favorable pre-application recommendation, and applicant shall have up to ninety (90) days to meet all application requirements and submit required information.

609.1 Time limits may be extended to ninety (90) day periods upon request of applicant if request is made prior to expiration.

609.2 If the time limit or extension(s) thereof expire without compliance with this Section, the application shall be denied unless continued at the sole discretion of, and by formal resolution of, the County Board of Adjustment.

610.0 Permit Insurance.

610.1 A waste management facility or activity shall not be effective until:

- A. The permittee complies with all other requirements of this Section and any other ordinance that may be affected.
- B. The permittee receives Agency approval and permit if necessary.
- C. The permittee provides the County proof of adequate performance bonding, certificates of insurance, and a closure, post-closure and contingency action plan.

610.2 A person applying for a permit shall not commence any construction of operation activities until the permit has been approved by the County Board of Adjustment. Once issued, a permit shall be valid as long as the permittee is in compliance with the terms of the permit, County and Local Ordinances, Agency rules and State and Federal law. In the event of violation, the permit shall be immediately suspended until the violation is remedied. If not remedied within thirty (30) days of the initial violation, the County Board of Adjustment may revoke the permit after ten (10) days notice to the permittee.

610.3 The permit is not transferable.

611.0 Performance Bond Requirements. Unless otherwise provided by the County Board of Adjustment, issuance of any permit pursuant to the provisions of this Section shall be contingent upon the applicant furnishing to the County a performance bond, in an amount to be set by the County Board, and naming the County as obligee with sufficient sureties duly licensed and authorized to transact corporate safety business in the State of Minnesota as sureties.

- A. The condition of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this Section in the operation of the waste facility or activity, and the County is required to expend any monies, labor or material to restore the facility to the condition and requirements as provided by this Section, the obligor and the sureties on its bond shall reimburse the County for all expenses, including legal fees and costs, incurred to remedy the failure of the principal to comply with the terms of this Section. The obligor and its sureties will indemnify and save the County harmless from all losses, costs and charges that may occur to the County because of any default of the obligor under the terms of the permit to operate and the Ordinance of the County.
- B. The performance bond shall be subject to cancellation by the surety at any time only upon giving one hundred twenty (120) days prior written notice of cancellation to the County. In lieu of part or all of said bond, the permittee may provide evidence of financial assurance in a form acceptable to the County Board to be used to bring the facility or activity into compliance with said requirements.

612.0 Certificates of Insurance. The permittee shall furnish the County certificates of insurance issued by insurers duly licensed within the State of Minnesota covering public liability insurance, general liability, automobile liability, completed operations liability, and bodily injury liability in the amounts to be set by the County Board. For facilities which generate toxic emissions or leachate, liability insurance may be required depending on availability and cost. If toxic emissions or leachate liability insurance is not available or provide additional financial assurance funds for liability that may arise from leachate and/or toxic emissions upon terms as determined by the County. In addition, the permittee shall provide evidence of worker's compensation coverage in the required statutory amounts.

613.0 Financial Assurance. Unless otherwise provided by the County, issuance or renewal of any permit shall be contingent upon the owner of the site or facility or the operator or both providing financial assurance for the closure, post-closure maintenance and monitoring and contingency action of the site or facility.

- A. Documentation submitted with the application for County approval shall include funding procedures, a description of the funding method, the value of the funding and an inflation adjusted cost estimate which assures that the closure, post-closure and possible contingency action activities at the site or facility take place.
- B. The method of financial assurance shall provide that the County have the right to draw funds or that part or all of the funds shall be paid to the County in the event that the owner or any successor in interest or operator fails to perform any required closure or post-closure activities or duties.
- C. Amounts paid to the County shall be used by the County to carry out closure and post-closure activities. Use of the financial assurance monies shall be limited to the site or facility for which it was approved.
- D. The County may change the amount of the financial assurance required if the County determines that the funds necessary to complete the closure, post-closure monitoring and maintenance have changed.

614.0 Operational Reporting. During the life of the permit or license, the licensee and/or permittee shall annually report, on forms provided by the County, information requested relative to operations. In addition, copies of all correspondence with the Agency, as well as other governmental units involved in monitoring the facility or activity relating to operations shall be provided to the County in a timely manner, not later than ninety (90) days after receipt.

615.0 Permit Period. Unless otherwise provided by the County, each permit granted pursuant to the provisions of this Section shall be for a period as stipulated in the Appendices of this Section, unless earlier suspended or revoked. The permit year for waste management facilities and activities shall be from January 1 to December 31.

616.0 Permit Renewals.

- 616.1** Application for the renewal of a permit shall be made no later than ninety (90) days prior to the expiration of the permit.
- 616.2** If the facility has been maintained in compliance with this Section and other applicable laws, and proper renewal application has been made with the appropriate fees paid, the County may, at its discretion, issue the renewal permit without routing the application through the procedures required for the initial permit.
- 616.3** The County may temporarily extend a permit pending determination of the renewal application.
- 617.0 Permit Fees.** The County Board shall, by resolution, establish fees, including fees for the initial permit, renewal of permit and other fees as may be necessary for the administration of this Section. The County Board may waive fees for any political subdivision applying for a solid waste permit.

Subdivision 700.0 Special Materials and Wastes

- 701.0 Waste Tires.** The following requirements are adopted to insure the proper handling of Waste Tires:

701.1 Minnesota Rules and Statutes.

- A. Minnesota Rules, Chapters 7001 and 9220 of the Minnesota Waste Tire Permitting Rules are hereby incorporated by reference.
- B. The disposal of waste tires in the land is prohibited. This does not prohibit the storage of unprocessed tires at a collection or processing facility (Minn. Stat. § 115A.904).

701.2 General

- A. Waste Tires within one thousand (1000) feet of a residence shall be stored or utilized in a manner that prevents water from being retained in the tires.
- B. Waste Tires shall not be placed, stored, left or permitted to remain in a lake, stream, wetland, sinkhole, gully, waterway, floodplain or shoreland.
- C. The owner of the land or premises upon which tires are located in violation of this Section shall be obligated to remove them to a licensed solid waste facility, or obtain the license required by this Section within one (1) year of the effective date of this Ordinance, or such later date approved by the Administrator.

701.3 Residential Lot Storage. No more than ten (10) waste tires may be stored within the boundaries of any residential lot.

701.4 Non-Residential Lot Storage. No more than one hundred (100) waste tires may be stored on any non-residential lot except at a properly licensed solid waste facility.

701.5 Exceptions. Exceptions to Subdivisions 701.1A and 701.2 of this Section may be allowed when waste tires are utilized outside the building for decorative, recreational, structural, constructional or agricultural purposes where they comply with the requirements or other applicable laws or sections of this Ordinance.

702.0 Waste Appliances. (Minn. Stat. § 115A.9561)

702.1 Prohibited Methods of Disposal. A person may not place major appliances in mixed municipal solid waste; or dispose of major appliances in or on land in a solid waste processing facility or disposal facility.

702.2 Accepted Methods of Disposal. All waste major appliances must be recycled or reused. All major appliances will be delivered to the County appliance depot at the landfill or to a County approved appliance recycling facility. Recycling includes: the removal of capacitors that may contain PCB's, removal of ballasts that may contain PCB's, removal of chlorofluorocarbon refrigerant gas; and the recycling or reuse of the metals, including mercury.

703.0 Waste Oil and Oil Filters

703.1 Waste Oil. A person may not place used oil in mixed solid waste or place used oil in or on the land unless approved by the Agency. (Minn. Stat. § 115A.916)

703.2 Oil Filters. All commercially generated oil filters will be disposed of, or recycled according to Agency rules and regulations.

704.0 Household Hazardous Waste. All household hazardous wastes shall be disposed of through the County designated household hazardous waste facility.

705.0 Yard Waste. (Minn. Stat. § 115A.931) Yard Waste subject to this subdivision includes garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste and prunings.

705.1 Prohibited Methods of Disposal. A person may not place yard waste.

- A. In mixed municipal solid waste.
- B. In a disposal facility; or
- C. In a resource recovery facility except for the purpose of reuse, composting or co-composting.

705.2 Accepted Methods of Disposal. Yard waste disposal in Lincoln County may include, but it not limited to the following methods.

- A. County permitted municipal collection sites;
- B. Backyard compost sites, when approved by the local jurisdiction.

706.0 Lead Acid Batteries. (Minn. Stat. § 115A.915)

706.1 Disposal. A person may not place a lead acid battery in mixed municipal solid waste or dispose of a lead acid battery. Lead acid batteries shall be taken to a lead acid battery recycling facility or returned to the vender for transport to a recycling facility. (Minn. Stat. § 115A.915).

706.2 Transport. A person who transports used lead acid batteries from a retailer must deliver the batteries to a lead acid battery recycling facility. (Minn. Stat. § 115A.9152)

707.0 Prohibited Disposal. The following items are banned for final disposal at solid waste disposal facilities designed by Lincoln County and will be disposed of properly under the rules and regulations of the Agency:

- A. Dry Cell Batteries containing mercury, silver, or nickel-cadmium, or sealed lead-acid batteries that were purchased for use or used by a government agency or an industrial, communication or medical facility.
- B. Household Hazardous Waste. By definition in Section I, Subdivision 1700 of this Ordinance.
- C. Lead Acid Batteries (vehicles batteries).
- D. All used oil and commercially generated oil filters.
- E. White Goods (major appliances). By definition in Section I, Subdivision 1700 of this Ordinance.
- F. Waste Tires.
- G. Yard Waste. By definition in Section I, Subdivision 1700 of this Ordinance.
- H. The Lincoln County Board of Commissioners will, by resolution, ban additional materials as dictated by State Statutes and Regulations.

Subdivision 800.0 Organized Collection and Recycling

801.1 Organized and Mandatory Solid Waste Collection. (Minn. Stat. § 115A.94-115A.941).

801.2 Mandatory Collection. (Minn. Stat. § 115A.941) Mandatory Collection is applicable to a City or Town with a population of five thousand (5,000) or greater.

802.0 Recycling. Any owner or occupant of a residential or multi-unit residential building, commercial, or industrial building within a Lincoln County municipality or service area shall have the opportunity to recycle the following types of materials:

- A. Metals
- B. Glass generated from food products.
- C. Plastic
- D. Paper products
- E. Such other material which may be designated by the County Board unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

803.0 Mandatory Public Facility Recycling. (Minn. Stat. §115A.151) Any local unit of government, school district, state agency in Lincoln County shall ensure that facilities under its control, from which mixed municipal solid waste is collected, have containers for at least three of the following recyclable materials: paper, glass, plastic, and metal; and transfer all recyclable materials collected to a recycler.

804.0 Haulers. A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste within a Lincoln County municipality or service area which contains any yard waste or any other material listed as banned from the County designated waste disposal facility.

805.0 General. Nothing in this Section shall preclude persons from disposing of recyclable materials with commercial recyclers and salvage yards or with nonprofit organizations, school groups, service clubs or others that conduct recycling drives for purpose of community clean-up or organization fund drives.

Subdivision 900.0 Anti-Scavenging

901.1 Ownership of Recyclable Materials. Ownership of the designated recyclable materials set out for curbside collection or deposited in the Lincoln County drop-off sheds shall be vested in the collector and transporter of recyclable materials designated by the County Board, or by contract through the municipalities. It shall be unlawful and an offense against this Section for any person, firm or corporation other than the owner, lessee or occupant of a residential dwelling, to collect said materials for personal use.

902.0 Scavenging. Scavenging from the Lincoln County drop-off sheds, curbside programs, or waste sites is forbidden. It shall be unlawful for any person to removal of any material without authorization from the Administrator.

Subdivision 1000.0 Litter Penalties and Damages

1001.0 Penalties. A person who unlawfully places any portion of solid waste in or on public property or private lands, shorelands, roadways, or waters is guilty of a misdemeanor offense and may be liable for the cost of expense to remove, process and dispose of the waste and any additional costs deemed appropriate by a court of competent jurisdiction.

1002.0 Political Subdivision Action. The County or other political subdivisions that incurs the cost as described in this Section may bring an action to recover the civil penalty, related legal, administrative and court costs, and damages for injury to or pollution of lands, roadways, or waters where the wastes were placed if owned or managed by the entity bringing the action.

1003.0 Deposit of Penalties. Civil Penalties collected under this Section must be deposited in the general fund of the jurisdiction enforcing the penalties.

1004.0 Private Action for Damages. A private person may join an action by the County or a political subdivision to recover civil penalty to allow the person to recover damages for waste unlawfully placed on the person's property.

SOLID WASTE MANAGEMENT ORDINANCE

FOR

LYON COUNTY

AUGUST, 1992

Table of Contents

Section 1	Purpose and Goals.....	Page 1	Definitions
section 2	a.....	Page 2-5	Abbreviations
saction 3		Page 6	
Section 4	Admintstration	Page 7	
4,01	Solid Waste Ofticer	Page 7	
4,02	Authority.....	Page 7	
4,03	Licenses	Page e-10	
4,04	Solid Waste Storage.....	Page 10-11	
4,05	Collection & Transportation of Solid Waste.....	Page 11-13	
4,06	Operational Reporting, ...	Page 13	
4,07	Collection & Disposal of Regulated- Special Wastes	Page 13-14	
4,08	White Goods/Major Appliances	Page 14	
4,09	Waste Tires	Page 14-15	
4,10	Existing Solid Waste Facilities, Operations and Activities	Page 15	
4,11	Rates & Charges for Solid Waste Management	Page 15-i6	
4,12	Service Charge	Page 16-17	
4,13	Enforcement and Inspection.....	Page 17	
4,14	Violations and Penalties.....	Page 17-18	
4,15	Appeals	Page 18	
4,16	Variances	Page 18	
4,17	Non-Conforming Site & Facilities .	Page 18	
4,18	Anti-Scavenging Provision.....	Page 18-19	
4,19	Anti-Recyclable Disposal	Page 19	
4,20	Collection of Recyclable Materials		

**THE SOLID WASTE MANAGEMENT ORDINANCE FOR
LYON COUNTY**

'J.'he Sc; > l wa e Man e ment Ordinanr; e for Lyon County is an ordinance a-utborlzing d PliOviding for County solid Waste Management; establishing J :>owe;rs at}d dutie'a in coriecti n therewith; establishing standards and requix-Elments ;oi soliq. waste management operations within the in;cO:t}?O:t'tated B;M unin.c6rpora ec:l. areas of the County of Lyon; requiring lio nses f9:t' sto:raga; cO.llectio:n., tra.Jl pottatlon, }rooesslng; and disposal of olid .waste, em.bodfing ne supplementing the minimum stan.da.rd and requirements estr4bl-ifl:1h ed by :r:ules of the Minnesota Pollution Coni:rol Agency; }?ltOvidin.g fo.i: e 11, forcezylent of said requir.em ents.1 imp osing venait,taa for failure to cmPLY. wlth these :provision&; reguli;J;ng pe:r:fo:amanc(t. bon<h1 arid InsuranceJ and promotng the health, safe"t.Y, and welfare of the public,

The County Board of Lyon county, under authority provided in Chapter 115., 115A, 116, 145.22, 145.23, 375, 400, 561,01 and 609,74 of the Minnesota statutes, does ordain;

SECTION 1: I?URI'OSS AND GOALS

The Lyon County Board has determined this regulation be adopted to:

L 01 Pro'teQt t;he public's health, prevent public nuisances, and prevent contaminat.toh of the g..roundwater and other environments of Lyon county fz-o oJ,Id, Wc;lste through the. control of number, location a.nd op i:iation of s,t1.oh fac.tlties.

1.02 Preserve and protect our land and water resources.

1.03 Assure that all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future.

1.04 Support activiti'es that will promote use and reuse of materials found in solid waste that would otherwise be disposed in ways that would not recapture the useful characteristics of its components.

1.05 Augment, supplement and support existing Lyon county and State of Minnesota controls on solid waste.

1.06 Embody the purpose found in Minnesota State Laws and Rules on Solid Waste.

1.07 The Lyon county Solid Waste Ordinance shall follow Minnesota Statutes, including but not limited to Chapters 17.135, 115, 115A, 116, 145.22, 145.23, 375, 400, 561,01, 609.671, 609,68 and 609.74,

1.08 Realizing that -qltimate1y making an impact ln the waste gei:iation and p:r:ocessin,:gcycJe, We must pursue front end solutions, th eirefore.., Lyon County wit1 a eect 1t system that maximizes community p rticipation and xemoval. of recyclable materials from the waste stream.

SECTION 2J DEFINITIONS.

When used in this ordinance, the words and phrases shall be interpreted by reference to the definitions contained in Minn. Regulations 7035.0300, and Minn. Stat, 115A,03, 115A,55 and 297A,01 unless the context clearly indicates otherwise. The following additional definitions supplement those cited immediately above.

2.01 Acceptable Household Quantities. Solid Waste which is otherwise Unacceptable Waste, but which is contained in Garbage, refuse, and Mixed Municipal Solid Waste from normal household activities. For the purposes of this definition, "household" includes any residential dwelling unit or place of transient residence.

2.02 Acceptable Non-Household Waste. Solid waste which is otherwise Unacceptable Waste, but which is contained in Garbage, refuse, and municipal solid waste generated from commercial, industrial, or community activities, where the quantity of such Unacceptable Waste contained in any load delivered to the Facility does not constitute a significant portion of the load, provided, however, that no amount of Hazardous Waste that is regulated by law shall be Acceptable Waste. The term significant may vary with the chemical constituents of the waste and/or the waste stream composition. Therefore, "significant" shall be as established by the Department on a material basis,

2.03 Acceptable Waste. Solid Waste which is acceptable at the Facility. Acceptable Waste shall include Garbage, refuse, and other municipal solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, and which is not otherwise defined herein as Unacceptable Waste. No amount of Hazardous Waste that is regulated by law is acceptable at the Facility.

Acceptable waste shall also include Acceptable Household Quantities and Acceptable Non-Household waste, as defined herein.

2.04 Adequate turf. A living ground cover of native perennials, grasses or other suitable vegetation free of noxious weeds which provides ground cover to effectively prevent loss of final cover by winds or water erosion,

2.05 Agency. The Minnesota Pollution Control Agency

2.06 Air Pollution. The presence in the outdoor atmosphere of any air contaminant or combination thereof in such quantity, of such nature, and under such conditions as would be injurious to human health or welfare, to animal life, or to property, or to unreasonable interference with the enjoyment of life or property,

2.07 Brush Disposal Facility. A site used exclusively for disposal in or on the land of trees and tree parts including stumps, branches, and their attached leaves. such disposal may include open burning and burial of the resulting ash or unburned tree parts.

2.08 Collection. The aggregation of solid waste from the place at which it is generated, and includes all activities up to the time the waste is delivered to a waste facility.

2.09 Collector/s. Any Person/s who owns, operates, or leases vehicles for the purpose of collection and transportation of any type of Solid Waste.

2.10 Commercial hauler. Any person who owns, operates, or leases vehicles for the purpose of collection and transportation of any type of solid waste.

2.11 County. Lyon County, Minnesota.

2.12 County Board. The Lyon County Board of Commissioners.

2.13 Environmental Office. The Lyon county Environmental Office

2.14 Farm. A parcel of land located within an Agricultural zoning District as defined by the Lyon county Zoning Ordinance that is at least thirty-five (35) acres in size used for the production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including, but not limited to, forage, crops, grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats; or any mammals or poultry, including the breeding and raising of any or all of the foregoing animals and poultry products; fur animals, trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetable, nut, floral, ornamental and greenhouse products; land devoted to oil conservation; forestry; horticulture; or land used for an animal feedlot, as defined by the Lyon County Zoning Ordinance.

2.15 Final solid waste Disposal. The site, facility, operating procedures, and maintenance thereof for the complete and ultimate disposal of solid waste by the sanitary landfill method in accordance with MPCA Rules and this ordinance,

2.16 Hazardous waste/Hazardous substance. Hazardous waste or Hazardous Substance has the meaning given it in Minnesota Statutes, section 115B.02; subdivision 8.

2.17 Incineration. The process of burning wastes for the purpose of volume and weight reduction in facilities designed for such use.

2.18 Licensee. As defined as the Person who has been given authority by the county Board or the Environmental Office to carry out any of the activities for which a license is required under the provisions of this ordinance.

2.19 Office. Office of Waste Management.

2.20 Person. "Person" means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the Pollution Control Agency.

2.20 Putrescible Material. Is defined as Solid waste which is capable of becoming rotten and which may reach a foul state of decay or decomposition.

2.21 Resource Recovery. The reclamation for sale or reuse of materials, substances, energy, or other products contained within or derived from waste.

2.22 Scavenging, Uncontrolled removal of solid waste materials from a licensed solid waste disposal facility.

2.23 Shoreland. Is defined as land located within the following distances from the ordinary high water elevation of public waters:

(a) Land within 1,000 feet from the normal high watermark of a lake, pond, reservoir, impoundment, or flowage; and

(b) Land within 300 feet of a river or stream or the landward side of flood plain delineated by ordinance on such a river or stream; whichever is greater.

2.24 Solid Waste Management Plan. The Lyon County Solid Waste Management Plan, dated January 1991 and amendments thereto,

2.25 Solid Waste Management System, A total system for the storage, collection, transportation and final disposal of solid waste,

2.26 Source Separated Materials. Materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in manufacturing processes.

2.27 Special Wastes. Nonhazardous solid wastes requiring management other than that normally used for mixed municipal solid waste.

2.28 Storage. The interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal.

2.29 Tipping Fee, The fee charged to collectors and citizens for waste delivered to the facility.

2.30 unacceptable waste, solid waste which is not acceptable at MMSW Facilities. Unacceptable Waste shall include waste which would pose a threat to health or safety; or which may cause damage to, or materially adversely affect the operation of the Facility including but not limited to: explosives, unprocessed hospital, pathological and biological waste; commercial, industrial, and community Hazardous Waste, mining waste, human or animal remains, and sludges except as regulated by federal,

state and local law; chemicals and radioactive materials; cesspool or domestic sewage; waste in liquid state; hazardous refuse of any kind, such as cleaning fluids, used crank case oils, cutting oils, paint, acids, caustics, poisons and drugs; and any other materials that the County, or that any other governmental agency or unit having appropriate jurisdiction shall determine, is harmful or of a toxic or dangerous nature.

2.31 **Waste Processing.** The treatment of solid waste after collection and before disposal. Processing includes but is not limited to volume reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification and the operations of a metal recycling or salvage facility.

2.32 **Waste Tire.** Means a pneumatic tire or solid tire for motor vehicles that has been discarded so that it can no longer be used for its original intended purpose because of wear, damage, or defect.

2.33 **Waste Tire Collection Site.** Means a licensed Waste Facility used for the storage of waste Tires prior to their transport to a waste Tire Processing Facility.

2.34 **Waste Tire Processing Facility.** Means a licensed Waste Facility used for the shredding, slicing, processing or manufacturing of usable materials for Waste Tires, and may include temporary storage activity. Processing does not include the retreading of Waste Tires.

SECTION 3: ABBREVIATIONS

The following abbreviations, when used in this ordinance, shall have the meanings ascribed to them in this section.

AM	ante meridiem (12 midnight to 12 noon.)
avg	average
BTU	British thermal unit
cu yd	cubic yard
dRDF	densified refuse derived fuel
EPA	Environmental Protection Agency
ft	feet
fps	feet per second
gal	gallon
hp	horsepower
hr	hour
in.	inch
kwh	kilowatt hour
lb	pound
lin	lineal
LF	lineal feet
max	maximum
MPCA	Minnesota Pollution Control Agency
MMSW	Minnetonka Municipal Solid Waste
MSW	Municipal Solid waste
mi	mile
NFPA	National Fire Protection Association
no.	number
PM	post meridiem (12 noon to 12 midnight)
psi	pounds per square inch
RDF	refuse derived fuel
SWMP	Solid waste Management Plan
sq ft	square feet
sq yd	square yard
tpd	tons per day
tpy	tons per year
WMB	Waste Management Board
yr	year

SECTION 4: ADMINISTRATION

4.01 Solid Waste Officer

The Lyon County Waste Officer of Lyon County shall be appointed by the Lyon County Board of Commissioners, who shall serve at the pleasure of the Board,

4.02 Authority

The Solid Waste Officer has been given authority by the Lyon County Board of Commissioners. The Solid Waste Officer shall have all necessary authority to implement and carry out the provisions of this ordinance including, but not limited to, the following:

1. To review and consider all application and supporting materials which are referred to the Environmental Office for operations within the County, require additional documentation and information, and after audit review and consideration, to recommend in writing with documentation to the county Board whether a license should be granted or denied.
2. To inspect operations to determine compliance and to investigate complaints about violations of this ordinance.
3. To recommend to the County Attorney that legal proceedings be initiated against a person or group of persons to compel compliance with the provisions of this ordinance or to terminate or control an operation not in compliance with this ordinance,
4. To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including, but not limited to, methodology, chemical and physical considerations, and engineering.
5. To inform, advise, consult, and cooperate with the public and other governmental agencies in furtherance of the purpose of this ordinance.
6. To require applicants to post bonds and proof of insurance at rates to be later set by the Board of Lyon County Commissioners,
7. To plan, implement and administer all county operated waste abatement facilities.
8. To implement all programs as proposed by the approved, and as amended, County Solid Waste Plan.
9. To maintain schedules of current fees, charges, and rates pursuant to this ordinance.

4.03 Licenses

Subsection 1. Unless otherwise provided by this ordinance, no person shall cause, permit or allow real or personal property under his or her control to be used for solid waste management purposes, except at an operation for which a license has been granted by the Environmental Office. For the purposes of this ordinance, solid waste management includes the following specific activities. In addition to other requirements listed herein, applicants for licenses must meet all requirements of the stated rules and statutes noted below and all other state and federal statutes and regulations and to the satisfaction of the Environmental Office:

- 1, Operation of MMSW Land Disposal Facilities Minn. Rules Ch. 7035.
2. Operation of Demolition waste Disposal Facilities Minn. Rules Ch. 7035.
- 3, operation on MMSW Incinerator Facilities Minn, Rules Ch. 7005 and 7035.
4. Operation of Composting and Co-Composting Facilities; Minn. Rules Ch. 7035,
- 5, Operation of Recycling Facilities Minn. Rule Ch. 7035,
6. Operation of Transfer Station Facilities Minn. Rules Ch. 7035.
- 7, Solid waste Storage Minn. Rules Ch, 7035.
- 8, Waste Tires Minn. Rules 7035, 9220, and Minn. Stat. 115A,
9. Collection and Transportation of Solid Waste Minn. Rules Ch, 7035.

Subsection 2, Applicants for a license shall not commence any operation until the license application has been approved by the County Board, and a license granted by the Environmental Office.

A waste facility operating license shall not be issued until the facility construction has been completed in compliance with this ordinance and the approved plans, and has been approved by the Environmental Office. Following review of the application by the Environmental Office, the County Board shall approve or deny an operating license or request additional information as outlined in this ordinance.

Subsection 3: A non-transferable license issued by the Environmental Office shall be required for the operation of solid waste facilities and other activities involving solid waste, A license will not be required for:

- A. MPCA - Permit-by-Rule Facilities, however, subject to approval by the County Solid waste Office to insure consistency with the County Solid Waste Management Plan,

Subsection 4: Unless otherwise provided by the Environmental Office, the license year for solid waste sites, facilities, operations and activities shall be; from January 1 through December 31,

Subsection 5. For facilities requiring an Agency permit for a solid waste facility or activity, the applicant for a license or license renewal

may be required to submit complete sets of plans, specifications and/or reports.

subsection 6. The applicant shall submit written proof that the municipality or township governing body in which solid waste facilities, operations or activities are located has considered the establishment of solid waste facilities, operations or activities with respect to zoning and other applicable regulations and the results of that consideration.

Subsection 7. All submittals to the State during the state permitting and/or licensing process for solid waste facilities and operations shall also be submitted to the Environmental Office.

Subsection 8. The applicant shall submit additional data requested by the Environmental Office. The County Board may waive a requirement for submitting certain of this additional data if such a waiver will not endanger the health or safety of the public.

Subsection 9. After receiving a completed application for the operation of a solid waste facility or activity, the county Board shall have 45 days to either grant or deny the license or license renewal. Submission of false information may constitute grounds for denying a license or license renewal, or suspension by revocation of an issued license,

subsection 10. Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant paying to the County a performance bond, in any amount to be set by the County Board, and naming the county as obligee with sufficient sureties duly licensed and authorized to transact insurance business in the State of Minnesota as sureties. The condition of such bond shall be that if the principal, or fails to obey any of the requirements or any of the acts required by this ordinance in the operation of the waste facility or activity or, if, for any reason, ceases to operate or, within 30 days of the date of the facility or activity, and the county is required to expend any monies or expend any labor or material to restore the facility to the condition and requirements provided by the ordinance, the obligor and the sureties must bond shall reimburse the county for any and all expenses incurred to remedy the failure of the principal to comply with the terms of the ordinance, and the obligor and its sureties shall indemnify and save the county harmless from all losses, costs and charges that may be incurred by the county because of the default of the principal under the terms of his license to operate and the ordinance of the county. The performance bond shall be subject to cancellation by the county at any time only upon giving at least twenty (20) days prior written notice if can be terminated by the county. In addition, if part or all of the license fee may provide evidence of financial assurance to the county Board to be used to bring the facility or activity into compliance with said requirements.

Subsection 11. The licensee shall furnish to the County certificates of insurance issued by insurers duly licensed within the State of Minnesota covering public liability insurance, including general liability, automobile liability, completed operations liability, and bodily injury

liability in amounts to be set by the County Board. In addition, the licensee shall provide evidence of workmen's compensation coverage in the required statutory amount.

Subsection 12. Unless otherwise provided by the Solid waste Officer for landfills issuance or renewal of any license shall be contingent upon the owner of the site or facility or the operator or both providing financial assurance for the closure, post-closure maintenance and monitoring of the site or facility. Use of this financial assurance shall be limited to the site or facility for which it was provided,

Documentation submitted with the application for Environmental Office approval shall include funding procedures, a description of the funding method, the value of the funding, and an independent adjusted cost estimate which assures that the closure and post-closure activities at the site or facility take place. The amount of the financial assurance shall be equal to or exceed the total estimated post-closure costs specified in the approved post-closure plan,

Subsection 13. The County Board shall, by resolution, establish fees, including fees for the application, initial license, renewal of license, and such other fees as may be necessary for the administration of this ordinance. The County Board may waive fees for any political subdivision applying for a solid waste permit,

4.04 Solid Waste Storage

Subsection 1. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises, shall be responsible for the satisfactory storage of all solid waste accumulated at that premise, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for occupancy; use or assembly without adequate facilities for sanitary and safe storage, collection, transportation, and disposal of all solid wastes.

Subsection 4. Putrescible waste, including, but not limited to garbage shall be stored in durable, rust-resistant, nonabsorbent, water-tight, rodent-proof, and easily cleanable containers, with close-fitting, fly-tight covers having adequate handles to facilitate handling; or other types of containers acceptable to the solid waste collection service which comply with agency regulations, this ordinance, and approved by the Solid Waste Officer. The size and allowable weight of the containers may be determined by the solid waste collection service as approved by the Solid Waste Officer.

Subsection 3. Solid waste must be stored in durable containers or as otherwise provided in this ordinance. Where putrescible wastes are stored in combination with non-putrescible wastes, containers for the storage of the mixture shall meet requirements for putrescible waste containers.

Subsection 4. Toxic or hazardous wastes shall be stored in durable, leak-proof containers and shall be "painted and marked" so as to easily

identify the container as a flammable or hazardous waste, (e.g. a yellow band that encircles, at a minimum, the center one-third (1/3) of the container) consistent with federal and state regulation. All previous lettering and numbering will be obliterated from the container. The container will be marked within the yellow band, or other easily identifiable area, utilizing a permanent marker as follows: The chemical name of the waste, the UN or NA ID number, the contaminates present by percentage, the start date, the generator's name and address and the generator's EPA or agency identification number. Such wastes shall be stored in a separate location, accompanied with a description of the chemical composition of the substance stored within the container and being compliant with the storage and transportation requirements of agency regulations, Minnesota Department of Transportation regulations, federal and state regulations and the state's ordinance. Vehicles shall be properly placarded and accompanied with a proper shipping manifest. In any case, a generator of hazardous waste must comply with all federal and state laws, regulations and rules pertaining to generation, storage, transportation and disposal of hazardous waste (whichever laws and regulations are more stringent),

Subsection 5. All containers for the storage of solid waste shall be maintained in such a manner as to prevent the creation of a nuisance or unsanitary condition.

Subsection 6. Solid waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a manner which is pollution-free, nuisance-free, and satisfactory to the Solid Waste Officer.

Subsection 7. Solid wastes shall not be stored outside of the written approval of the Solid Waste Officer. Solid waste shall not be stored on public property for more than two weeks, without the approval of the Solid Waste Officer. Non-putrescible wastes suitable for recycling shall not be placed on public or private property in a manner which creates a nuisance, blight, or health hazard.

Subsection 8. Solid Waste shall not be stored or disposed of in containers specifically designated for the collection or deposit of recyclables.

4.05 Collection and Transportation of Solid Waste

Subsection i. Unless otherwise provided in these ordinances, the owner, the lessee, and the operator of any premises, industrial, commercial, or industry is responsible for the collection and transportation of solid waste from the premises, establishment, or industry, and shall collect and remove all solid waste accumulated at the premises, business establishment, or industry and transport it to an operation for which a permit has been issued by the agency and a county. The solid waste collection service shall be responsible for the collection and transportation of all

solid waste for which it has been contracted to collect and remove and will transport it to an operation for which a Permit has been issued by the agency and the county at which disposal occurs.

Subsection 3. Vehicles or containers used for the collection and transportation of garbage, putrescible wastes, or solid waste shall be covered, leakproof, durable and of easily cleanable construction. These shall be cleaned regularly to prevent nuisances, pollution or insect breeding, and shall be maintained in good repair.

Vehicles or containers shall be loaded and moved in such a manner that the content will not fall, leak or spill therefrom, and shall be covered to prevent blowing of material. When spillage does occur, the material shall be picked up immediately by the solid waste collector or transporter and returned to the vehicle or container, and the area properly cleaned. When the material cannot be immediately picked up or the area cleaned the Solid Waste Officer shall be notified as described.

Subsection 3. Vehicles and containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed, and leakproof, in a safe, sanitary and nuisance-free manner. Vehicles shall be properly marked and labeled and be accompanied with a proper shipping manifest, as required by federal and state regulations and statutes.

Subsection 4. The collection and transportation of solid waste shall be performed in accordance with state rules administered by the agency and the County.

Subsection 5. The county Board shall issue a license for the collection and transport of solid waste, as defined under this ordinance as a solid waste collection service. The County Board shall not issue a license until the application complies, in addition to requirements of 4.04, with all of the following requirements:

(a) The solid waste collection service will indemnify, defend and save harmless the County Board, their agents, elected officials and employees from all claims, damages, losses, liabilities, costs, expenses and lawsuits whatsoever arising out of any act or omission of the hauler or its contractor, agents, servants, or employees in the performance of or in relation to any of the work or service to be performed or furnished by the hauler under the terms of this Contract.

(b) The solid waste collection service shall provide collection in a timely manner.

(c) Collectors of solid waste must have a pricing system that charges for collection on the basis of the volume or weight of waste collected as regulated by Minnesota statutes. For single family customer, the collector must offer a minimum 1 can or 1 bag rate. The amount or bag, shall be no larger than 90 gallons.

(d) Solid waste must be disposed of at an operation having a permit from the appropriate state regulatory and a license from the County

within which the disposal site is located. A license will not be issued to those hauling to unpermitted sites.

(e) Submission of vehicle specifications: All vehicles to be used for solid waste collection and transportation shall have leakproof bodies of easily cleanable construction, completely covered with metal or heavy canvas, and shall be subject to approval and periodic inspection by the Solid Waste Officer,

(f) Filing of application for a solid waste collection and transportation license shall be upon a form provided by the County Board.

(g) The solid waste collection service will provide to the County Solid Waste Officer a report of quantities hauled for recycling and solid waste, at the close of each permit year (December 31). The site where the service disposes of the load(s). Quantities will be reported in cubic yards or tonnages. Recyclables will be reported in cubic yards or tonnages separated by type (e.g., newspaper, plastic, ferrous, and nonferrous metals, glass, corrugated, etc.). Omission of the annual report shall be grounds for the termination of the license or denial of license renewal.

(h) A vehicle permit fee shall be established by the Lyon County Board and adopted by resolution. The vehicle permit fee shall be established for a calendar year and if no new permit fee is adopted in any given year the permit fee from the previous year shall remain in effect. A copy of the current permit fee shall be kept on file in the office of the County Auditor. Nonpayment of the annual vehicle permit fee shall be grounds for the termination of the license or denial of license renewal. The county will notify all permit holders by December 23rd of each calendar year if there are new fee schedules. Each permit fee must be paid by December 31st to receive a vehicle permit for the next calendar year.

4.06 Operational Reporting

During the life of the license, the licensee shall annually report, on forms provided by the Environmental Office, information requested relative to operations and approved in advance by the county Board. In addition, copies of all correspondence with the State relating to the operation shall be provided to the Environmental Office in a timely manner,

4.07 Collection and Disposal of Regulated-Special Waste's.

Subsection 1. A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste which contains;

- (a) Lead acid batteries,
- (b) Waste motor oil, oil filters from commercial establishments
- (c) Waste tires,
- (d) White goods/major appliances, and
- (e) Yard Wastes
- (f) Additional items as identified by Minnesota Statute, Minnesota

Rule, or County -Board Resolutions,

except for the purposes of directly deliveriflg such waste to a facility has been approved by the county and/or MPCA or .is allowed to accept this type of waste.

Subsection 2. No **person. or** business whic;;h generates those .items in Subsection 1 to knowingly deposit tbe;se materials for colle6tibn in mixed municipal' solid **waste** and or dispose at a MSW processing or disposal facility,

4.08 White Goods/Major Appliances

Subsection 1. No **person shall dispose of white 900.d/major app.,liances** at a solid waste processing **facility or disposal facility.** No person may accept white:goods/major appliances t-o-r recycling purposes witho.ut **designation;,'by resolution of the Lyon County Board, as a white good recycling dr:Op site or acquire and maintain** appropriate licenses and/or permits from::, the MPCA and U.S. EPA.

Subsection 2. No owner, lessee, andoccupant of any siggle or multi-family **dwelling, business establishment, industry, in** addition to appropriate MN statutes and Rules for solid waste storage, may store more than ten (10) **white goocts/major appJ,iances. in the open (on the .outside)** without written **permission of the Environil:ental Officer or be designated as a white goeid/majer appliance drop-off site.**

subsection 3. The county Board by resolution, may ,establi;;h disposal fees for white good drop sites.

4.09 Waste.Tires

subsection 1, No more than ten.. (10) **waste. tires** may be store.d within the boundaries of any **residential** lot.

Subsection 2.. No more than five hundred (500) **wate tires** may be stored on any Non-residential lot except at a properly permitted facility.

Subsection 3., Exceptions to subsections 1 and 2 may be, 'a.llowed when waste tire's are utilized outside ,.of a building .for decorative, **recreational, structural, construction or agri.cultu.ral. purposes** where they comply with the requirements of other applicabl◆ laws or sections or this ordinance,

Subsection 4. **waste tires** within one thousand (1_000) feet ot: a residence s.hall be stored or **utilized in a manner that prevents water** from being retained in the ti'res.

Subsection\$... waste tires shall not be placed, store◆, left, or permitted to remain. in a lake,.stream, wetland, sinkhole, gully, waterway, flood **plain or shorelang,**

Subsection 6, The owner of the land.or premises upon which w◆te tires are located in violation of this ordinance shall be obligated to remove

existing rates at any time so long as the aforementioned procedure is followed.

Compacted yard
Uncompacted yard
by weight
Appliances
Tires
Demolition

An amount to be determined
by the County Board

The County Board shall set the rates and charges to be received by a licensee by a resolution after a duly called hearing for the purpose of setting the rates. New prices shall be effective 30 days after passage of the resolution,

Subsection 4. The County Board may set ratio and charges at county owned solid waste facilities as required for the proper management of solid waste in Lyon County utilizing the procedure set for in Subsection 3'

4.12 Service Charge

Subsection 1. Purpose and Authority. This section is enacted pursuant to Minnesota Statute 400.08 which grants Lyon county the authority to impose reasonable charges for a service fee to cover the cost for the Recycling and Household Hazardous Waste Programs. The purpose of this section is to establish a method of collection for such charges.

subsection 2. Method of Billing and Collecting Service Charge. the charges will be billed and collected as a fee on the applicable Lyon County tax statements as determined by the fee schedule.

subsection 3. Collection. on or before the date provided for in S. Section 400.08, "Subdivision 4, in each year, the County Board shall certify to the County Auditor all charges and a description of the parcels against which the charges arose for the following year. It shall be the duty of the county Auditor, upon order from the County Board, to extend the charges upon the rolls of the County for the year in which the fee is filed. For each year the charges shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the State. If the charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

Subsection 4, Rates and Charges. The County Board, by resolution, may establish or revise the fee schedule for solid waste management services. All fees and charges shall be uniform in their application. A copy of the current fee schedule shall be kept on file in the Office of the County Auditor. If no new fee schedule for solid waste management services is adopted in any year, the fee schedule for the previous year shall remain in effect.

Subsection 5. This section is enacted pursuant to M.S. 400.08 which grants Lyon County the authority to establish and determine the boundaries of solid waste management service areas in the County. The boundaries of Lyon County shall constitute the boundaries of the solid waste management service area.

Subsection 1. Inspection and evaluation of waste facilities shall be made by the Solid Waste Officer with such frequency as to insure consistent compliance by the facilities with the provisions of this ordinance. Each license shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the date when the corrections shall be accomplished. Each licensee shall be required to allow free access to authorized representatives of the Solid Waste Department, County Board, or to authorized representatives of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, or any other applicable statute, ordinance or regulation.

Subsection 3. The Solid waste Officer and County Board shall be responsible for the administration and enforcement of this ordinance.

subsection 1, • Misdemeanor. Any person within the County who violates this ordinance, or who permits, or who shall fail to take action to prevent the existence of the violation within the specified time period when ordered or notified to do so by the Environmental Health Officer, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided by law. Each separate offense shall be deemed continued upon each day during or on which a violation occurs or continues.

Subsection 2, Equitable Relief. In the event of a violation or a threat of violation, of this ordinance, the County Attorney may take appropriate action to enforce this ordinance, including application for injunctive relief, action to compel performance, or other appropriate action in court, if necessary, to prevent, restrain, correct, or abate such violations or threatened violations.

Subsection 3. Civil Action or cost as Special Tax. If a person fails to comply with the provisions of this ordinance, the County may recover costs incurred for corrective action in: a civil action in any court of competent jurisdiction, or at the discretion of the Department, the costs may be certified to the county Auditor as a special tax against the real property.

4.15. Appeal

The Board of Commissioners of Lyon County shall act as a Board of Appeal. Any person wishing to appeal any action taken by the County pursuant to this ordinance must request a hearing. The appeal must be received by the County within thirty (30) calendar days, exclusive of the day of receipt of notice, after the receipt of notice of the action taken by the County. The request must be in writing stating the grounds of the appeal. If a person fails to submit an appeal within the required time period, the person shall forfeit all property for a hearing. The County will schedule a hearing within thirty (30) calendar days of receipt of the notice of appeal, and a notice will be sent to the appellant by mail by the date of the hearing (date, time and location). If the appellant or his or her representative fails to attend the hearing, the appellant shall forfeit any right to a hearing. The Environmental Office shall send the appellant by mail notice of the decision within ten (10) days after the close of the hearing.

4.16. Variances

Upon written application by the applicant; owner or operator, the County Board may grant variances from the requirements of the regulations and standards prescribed by this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance.

4.17. Non-Conforming Sites and Facilities

The rules, regulations and requirements of the County and the Minnesota Pollution Control Agency shall govern the termination, abandonment and/or cleanup of each non-conforming solid waste facility, operation and activity within the County. Owners or operators, or both, of real property being used for Solid Waste disposal purposes shall be responsible to the County for satisfactorily performing terminating and abandonment procedures.

4.18. Anti-Cavenging Provision

Ownership of designated recyclable materials set out for collection or placed in County recycling sheds or drop-off sites shall be vested in the

contradictorily, however, collector of transporter of materials regulated by the Lyon County Board of Commissioners. It shall be unlawful, and an offense against this section for any person, firm, or corporation other than the (curbside) parties recognized to be off the official disposal of the material; (13) to pick up said materials for his/her own use,

4.19 Anti-Recyclable Disposal

All recyclable materials collected as part of a recycling collection program shall not be deposited in a manner which precludes its reuse, as defined in the recycling definition in MN Statute 115.03 subdivision 25a and 25b.

4.20 Collection of Recyclable Materials by Non-Profit Organizations

Civic or non-profit organizations, school groups, service clubs or others who collect recyclable materials to support the organization or to provide a community service will not need to obtain a license/permit, except as noted:

1. Required by the Agency.
2. Curbside collection of recyclables,

All submittals, as required of a licensee/permittee, shall also be submitted to the Environmental Office.

4.21 Recycling Collection Quantity Reporting Requirement

All city or non-profit organizations, school groups, or persons who collect materials shall to the extent possible, submit a report to the environmental office of the type and quantity of materials collected. This report should be submitted by February 1 of each year and accompany the report year, collected and recycled from January 1 to December 31 of the reporting year.

4.22 Waiver

The County Board may waive any licensing, construction or operation requirements based on the characteristics of the waste, the site or the proposed service, provided such a waiver will not endanger the health or safety of the public.

4.23 Severability

The provisions of this ordinance are severable. Should any action, paragraph, sentence, clause, phrase, or portion of the regulation be declared invalid for any reason, the remainder of this regulation shall not be affected.

4,24 Repealed

Lyon County Solid Waste Ordinances dated prior to today are repealed,

4.25 Effective.. Date

This regulation shall be in full force and effect upon adoption and publication pursuant to law.

ated this _____ day of _____

LYON COUNTY BOARD OF COMMISSIONERS

B. Cole
Chairman

Charlitta Sheffield
Attest: County Auditor



MURRAY COUNTY SOLID WASTE ORDINANCE

An ordinance authorizing and providing for County Solid Waste Management, establishing powers and duties in connection therewith, establishing standards for and regulating solid waste management operations within the County of Murray, requiring a license for the establishment and use of a solid waste management operation; establishing requirements for certain facilities on a disposal site, for control of special solid wastes, and those waste abatement programs as defined by SCORE legislation; determine embodying minimum standards and requirements established by regulation of the Minnesota Pollution Control Agency; providing for enforcement of said requirements; requiring a performance bond for solid waste disposal facilities; in purpose and object to promote the health, welfare and safety of the public and protect resources of water, air and land pursuant to Minnesota Statutes, Chapters 115, 115A, 116, 145.22, 145.23, 375, 400, 561.01, and 609.74.

The County Board of Commissioners of the County of Murray hereinafter referred to as the County Board, does ordain:

SECTION I. DEFINITIONS.

Unless specifically altered, terms and abbreviations used in this ordinance shall be interpreted in a manner consistent with Minnesota Statutes, Chapters 115, 115A, 116, 145.22, 145.23, 375, 400, 561.01, 609.74 and regulations of the Agency, which have been or hereafter may be adopted under those provisions. Terms and abbreviations used herein which are not specifically defined by law shall be construed in accordance with the context and professional usage.

Subd. 1. "Agency" means the Minnesota Pollution Control Agency.

Subd. 2. "Air Contaminant" means the presence in the outdoor atmosphere of any dust, fumes, mist, vapor, gas or gaseous, fluid or particulate substance differing in composition from or exceeding in concentration the natural components of the atmosphere.

Subd. 3. "Air Pollution" means the presence in the outdoor atmosphere of any air contaminant or combination thereof is such quantity, of such nature and duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonable, with the enjoyment of life or property.

Subd. 4. "Canister System" means one or more commercial solid waste storage containers (such as "dumpsters") located to function as an intermediate disposal facilities, and which are serviced on a regular basis by a public or private hauler.

Subd. 5. "Construction Debris" means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

Subd. 6. "County" means any department or representative of the County who is authorized by this ordinance or otherwise by the County Board to represent the County of Murray in the enforcement or administration of this ordinance.

Subd. 7. "Collection" means the aggregations of solid waste from the place at which it is generated, and includes all activities up to the time the waste is delivered to a waste facility.

Subd. 9. "Collector/Commercial Hauler" means any person who owns, operates, or leases vehicles for the purpose of collection and transportation of any type of solid waste.

Subd. 10. "Cover Material" is material that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness and compatibility. Suitable cover material include, but are not limited to sandy loam, loam, sandy clay loam, silty clay loam, clay loam, sandy clay, and loamy sand.

Subd. 11. "Garbage" means discarded material resulting from the handling, processing, storage, preparation, serving, and consumption of food.

Subd. 12 "Demolition Debris" means inert material that includes earthen fill, boulders, rock and other materials normally handled in construction operations but does not include solid waste, hazardous or toxic waste, recyclables or materials possessing usual or anticipated chemical or biological action.

Subd. 13 "Hazardous Waste" means any refuse or discarded materials or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled in a routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological or physical properties. Categories of hazardous waste materials includes, but are not limited to, explosives, flammables, oxidizers, poisons, irritants, and corrosives. Hazardous waste does not include sewage sludge, and source materials, special nuclear waste or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Subd. 14. "Household Hazardous Waste" means any waste generated from household activity that exhibits the characteristics of or that is listed as hazardous waste under agency rules, but does not include waste from commercial activities that is generated, stored, or present in a household. Household Hazardous Wastes include, but are not limited to, paints, solvents, cleaners, pesticides, herbicides, paint thinner, drain opener, varnishes, stains and adhesives.

Subd. 15. "Incineration" means the process by which solid wastes are burned for the purpose of energy recovery or volume and weight reduction in facilities designed for such use.

Subd. 16. "Intermediate Disposal Facility" means a facility for the temporary collection, storage, reduction, recycling, or processing of solid waste prior to final disposal.

Subd. 17. "Land Pollution" means the presence in or on the land of any solid waste in such quantity, of such nature or duration, and under such conditions as would affect injuriously any waters of the state, create air contaminants or cause air pollution.

Subd. 18. "Licensee" means a person who has been issued a license by the County Board for solid waste management purposes pursuant to this ordinance.

Subd. 19. "Multi-County Mixed Waste" means solid waste that is collected outside the County and then transported to this County and mixed with solid waste from the County. Excluded from this definition is one (1) cubic yard per vehicle per load, or ten (10) percent of the vehicles solid waste load, whichever is lessor.

Subd. 20. "Non-recyclable Materials" means solid waste, refuse, construction debris, and materials for which there is no appropriate markets that will accept these materials for recycling.

Subd. 21. "Operation" means any site, facility, or activity relating to solid waste management.

Subd. 22. "Person" means any human being, any municipality or any other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other business organization, any receiver, trustee, assignee, agent, or any other legal representative of any of the foregoing, or any other legal entity.

Subd. 23. "Putrescible Material" means solid waste which is capable of becoming rotten or which may reach foul state of decay or decomposition.

Subd. 24. "Recycler" means any commercial or business established to collect, transport, process, store, redeem, or dispose of recyclables.

Subd. 25. "Recyclable Materials" means materials such as nonresidential corrugated cardboard, nonresidential office paper, newsprint, glass containers, tin containers, polyethylene terephthalate and high density polyethylene plastic, aluminum containers, that are separated from solid waste for the purpose of recycling. These materials and other materials are considered to be recyclable materials if appropriate markets exist that will accept these recyclable materials. Refuse derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subd. 26. "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subd. 27. "Recycling Facility" means any facility permanent or mobile that recycles or accepts waste for the purpose of recycling.

Subd. 28. "Refuse" means putrescible and non-putrescible solid wastes, including, but not limited to, garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, market and industrial solid wastes, and sewage treatment wastes which are in a dry form.

Subd. 29. "Rubbish" means nonputrescible solid wastes, including, but not limited to ashes and combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass bedding, crockery, or litter of any kind.

Subd. 30. "Sanitary Landfill" means an area of land which is, or could be used, for the disposal of solid waste without creating pollution of land, water or air, hazards to the public health or safety, or public nuisance, by utilizing the principles of engineering to confine the solid waste to the smallest practical volume, and to cover it with at least six inches of cover material at the conclusion of each day's operation, or at more frequent intervals as may be necessary.

Subd. 31. "Service Area" is enacted pursuant to Minnesota Statute 400.08 which grants Murray County the authority to establish and determine the boundaries of the solid waste management areas in the County. The County Board may impose service charges for the area. The Murray County Solid Waste Ordinance may require mandatory solid waste collection and mandatory recycling separation in the service area.

Subd. 32. "Shoreland" means land located within the following distances from the ordinary high water elevation of public waters: (a) land within 1,000 feet from the normal high watermark of a lake, pond, or flowage; and (b) land within 300 feet of a river or stream or the landward wide of floodplain delineated by ordinance on such a river or stream, whichever is greater.

Subd. 33. "Solid Waste" means garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial, agricultural

operations, residential uses, and community activities, but does not include earthen fill, boulders, rock and other materials normally handled in construction operations, animal waste used as fertilizer, any permitted material disposed of as soil amendment, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, wastewater effluent, dissolved materials, suspended solids in irrigation return flows, or other water pollutants.

Subd. 34. "Solid Waste Collection Service" means the collection and transporting of solid waste generated in Murray County by any person or (residential, business, commercial, governmental) by a hauling service contracted by the generator, or a demolition debris hauling service that transports solid waste - separated or mixed with demolition debris, or, a service that hauls recyclables. The self collection and transportation of solid waste by a single family resident (1 unit) is exempt from this definition. However, collection from multiple family residences are included in this ordinance.

Subd. 35. "Solid Waste Disposal Facility" means any intermediate or final disposal site, equipment or building operated as a sanitary landfill, incinerator, transfer station, composter and other operations as defined by this ordinance, the agency and the County.

Subd. 36. "Solid Waste Management Facility" means a sanitary landfill, or intermediate disposal facility.

Subd. 37. "Solid Waste Management" means the storage, collection and removal of solid waste from public and private property, its transportation to intermediate or final disposal facilities and its disposal by approved methods, the management of a recycling program, solid waste education and other solid waste operations or services.

Subd. 38. "Source Separated Materials" means materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in manufacturing processes.

Subd. 39. "Special Wastes" means nonhazardous solid wastes requiring management other than that normally used for mixed municipal solid waste.

Subd. 40. "Tipping Fee" means the fee charged to collectors and citizens for waste delivered to the facility.

Subd. 41. "Transfer Station" means an intermediate solid waste transfer facility in which solid waste is collected from any source is temporarily deposited to await transportation to another solid transfer management facility.

Subd. 42. "Toxic or Hazardous Wastes" means substances, whether in liquid, gaseous or solid form, which when collected, stored, transported, or disposed of, may be acutely toxic to humans, or other animals, or plant life, or be directly damaging to property

including, but not limited to, pesticides, acids, caustics, pathological wastes, radioactive materials, flammable or explosive materials, and similar noxious substances.

Subd. 43. "Waste Tire" means a pneumatic tire or solid tire for motor vehicles that has been discarded or no longer used for its original intended purpose because of wear, damage or defect.

Subd. 44. "Waste Tire Collection Site" means a licensed Waste Facility use for the storage of Waste Tires prior to their transport to a Waste Tire Processing Facility.

Subd. 45. "Waste Tire Processing Facility" means a licensed Waste Facility used for the shredding, slicing, processing or manufacturing of useable materials for Waste Tires, and may include temporary storage activity. Processing does not include the retreading of Waste Tires.

Subd. 46. "Water Pollution" means the contamination of any waters of the state so as to create a nuisance or render such waters unclean, obnoxious or impure, so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, commercial or industrial use, or to animals, birds, fish, or other aquatic life.

Subd. 47. "Waters of the State" means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems and all other bodies or accumulations of water, surface or underground, natural or artificial public or private, which are contained within, flow through or border upon the state or any portion thereof.

Subd. 48. "White Goods" means waste major appliances. Major appliances include but are not limited to clothes washers and dryers, compactors, conventional ovens, ranges and stoves, humidifiers and dehumidifiers, air conditioners, refrigerators and freezers.

Subd. 49. "Yard Waste" means organic plant material collected from yards. These materials include leaves, grass, clippings, weeds, vines and stalks.

SECTION II. ADMINISTRATION

Subd. 1. Solid Waste Officer. The Murray County Solid Waste Officer is appointed by the Murray County Board of Commissioners.

Subd. 2. Authority. The duties and responsibilities of the Solid Waste Officer under this ordinance are hereby established and delegated by the County of Murray. The Solid Waste Officer shall have all necessary authority to implement and carry out the provisions of this ordinance, including, but not limited to, the following:

- (a) To review and consider all license applications and supporting materials which are referred to him for operations within the County, and after consideration, to recommend in writing with documentation to the County Board that a license may be granted or denied.
- (b) To inspect operations to determine compliance with this ordinance and to investigate complaints about violations of this ordinance.
- (c) To recommend to the County Attorney that legal proceedings be initiated against a person to compel compliance with the provisions of this ordinance or to abate or control an operation not in compliance with this ordinance.
- (d) To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including, but not limited to methodology, chemical and physical considerations, and engineering.
- (e) To advise, consult, and cooperate with the public and other governmental agencies in furtherance of the purpose of this ordinance.
- (f) To plan, implement and administer all County operated waste abatement facilities.
- (g) To implement all programs as proposed by the approved, and as amended County Solid Waste Plan.

SECTION III. GENERAL PROVISIONS: SOLID WASTE DISPOSAL FACILITIES

Subd. 1. No person shall operate a solid waste disposal facility nor allow, permit or cause his land to be used as a solid waste disposal facility without a valid license issued by Murray County.

Subd. 2. To obtain a license to operate a solid waste facility an individual must first complete an application and provide all of the following information:

- A. Complete plans, specification, design data, ultimate land use plan, if applicable, and proposed operating procedures prepared by a registered professional engineer of Minnesota.
- B. Evidence that the property is properly zoned for the solid waste disposal facility and that the owner has obtained the necessary building permits.
- C. A bond in an amount to be set by the County Board naming the County as an obligee with sufficient sureties duly licensed and authorized to transact business in the State of Minnesota as sureties. The condition of the bond shall be that if the principal fails to comply with any requirements or fails to perform any acts required of the operation or ceases to operate or abandon the operation the sureties will reimburse the County for any monies, labor or material expended to restore the operation to comply with this ordinance or restore the land to its original condition and indemnify, save and hold harmless the county from all losses, costs, and charges that may incur because of the operator's unwillingness or inability to operate in compliance with the terms of this ordinance.
- D. A certificate of insurance issued by a company duly licensed to operate within the State of Minnesota covering public liability, automobile liability, operations liability, with bodily injury limits in an amount no less than \$250,000.00 for injury or death on any one person and aggregate limits of not less than \$750,000.00 for injuries or deaths arising out of any one occurrence. Property damage limits shall be not less than \$500,000.00 per occurrence and the unencumbered aggregate amount of at least \$500,000.00.
- E. Evidence of compliance with all state and federal laws including necessary permits or licenses for operation of a solid waste disposal facility.

Subd. 3. License applications will be reviewed by the Solid Waste Officer to determine compliance with the requirements of Subd. 2 and the Murray County Solid Waste Plan. The applicant will be notified of any deficiencies in the application. Within 30 days after receipt of a completed application, the Solid Waste Officer will present the application to the Murray County Board of Commissioners with a recommendation for approval or denial of the license.

Subd. 4. The Murray County Board of Commissioners will make final determination whether to grant the license. Any license granted by the Board will be valid for one year unless surrendered, suspended or revoked prior to that time.

Subd. 5. No person shall operate a solid waste disposal facility nor allow, permit or cause his land to be used as a solid waste disposal facility without a valid license issued by Murray County.

Subd. 6. No person shall construct or operate in Murray County a landfill, incinerator, transfer station, or composter for the disposal of solid waste without first obtaining a

permit from the County and meeting all state and federal regulations relating to such facility.

Subd. 7. The following items are banned for final disposal at solid waste disposal facilities in Murray County:

Dry Cell Batteries containing mercury, silver, or nickel-cadmium, or sealed lead-acid batteries that were purchased for use or used by a government agency or an industrial, communication, or medical facility.

Household Hazardous Waste (By definition in Sec. I)

Lead Acid Batteries (vehicle batteries)

Used Oil

White Goods (major appliances)(By definition in Sec. I)

Waste Tires

Yard Waste (By definition in Sec. I)

The Murray County board of Commissioners will, by resolution, ban additional materials as dictated by state regulations.

SECTION IV. SOLID WASTE STORAGE

Subd. 1. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises, shall be responsible for the satisfactory storage of all solid waste accumulated at the premises, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection transportation, and disposal of all solid wastes.

Subd. 2. Putrescible waste, including, but not limited to garbage, shall be stored in durable, rust-resistant, nonabsorbent, water-tight, rodent-proof, and easily cleanable containers, with close-fitting, fly-tight covers having adequate handles to facilitate handling; or other types of containers acceptable to the solid waste collection service which comply with agency regulations, this ordinance, and approved by the Solid Waste Officer. The size and allowable weight of the containers may be determined by the solid waste collection service as approved by the Solid Waste Officer.

Subd. 3. Solid waste must be stored in durable containers or as otherwise provided in this ordinance. Where putrescible wastes are stored in combination with non-putrescible wastes, containers for the storage of the mixture shall meet requirements for putrescible waste containers.

Subd. 4 No person shall place household hazardous wastes into a container for collection. All household hazardous wastes shall be disposed of through the Lyon County Regional Household Hazardous Waste Facility.

Subd. 5. Toxic or hazardous wastes shall be stored in durable, leak-proof containers and shall be "painted and marked" so as to easily identify the container as a toxic or hazardous waste, (e.g. a yellow band that encircles, at a minimum, the center one-third (1/3) of the container) consistent with federal and state regulations. All previous lettering and numbering will be obliterated from the container. The container will be marked within the yellow band, or other easily identified area, using a permanent marker as follows: The chemical name of the waste, the UN or NA Number, the contaminants present by percentages, the start date, the generators name and address and the generators EPA or agency identification number. Such wastes shall be stored in a safe location, accompanied with a description of the chemical composition of the substance stored within the container and be in compliance with the storage and transportation requirements of agency regulations, Minnesota Department of Transportation regulations, federal and state regulations and this ordinance. Vehicles shall be properly placarded and be accompanied with a proper shipping manifest. In any case, a generator of hazardous waste must comply with all federal and state laws and regulations applicable to the generation, storage, transportation, processing and disposal of hazardous waste (whichever laws and regulations are more stringent).

Subd. 6. All containers for the storage of solid waste shall be maintained in such a manner as to prevent the creation of a nuisance or unsanitary condition.

Subd. 7. Solid waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a manner which is pollution-free, nuisance-free, and satisfactory to the Solid Waste Officer.

Subd. 8. Solid wastes shall not be stored outside a private residence, in a residential or urban rural setting, for more than one (1) month without the written approval of the Solid Waste Officer. Solid waste shall not be stored on public, commercial or business property for more than two (2) weeks, without the written approval of the Solid Waste Officer. Non-putrescible wastes suitable for recycling shall not be stored on public or private property in a manner which creates a nuisance, blight or health hazard. Compostables shall not be stored on public or private property in a manner which creates a nuisance, blight or health hazard.

Subd. 9. Solid Waste shall not be stored or disposed of in containers or structures specifically designated for the collection or deposit of recyclables.

SECTION V. FARM DISPOSAL OF SOLID WASTE (Dept. of Ag. - 17.35)

Subd. 1. A person who owns or operates land used for farming may bury, or burn and bury, solid waste generated from a person's household located on the farm land or as part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on the land used for farming from which it was generated.

Subd. 2. This exemption does not apply if regularly schedules pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the County Board of Commissioners.

SECTION VI. COLLECTION AND TRANSPORTATION OF SOLID WASTE

Subd. 1. Unless otherwise provided in these regulations, the owner, lessee and occupant of any premises, business establishment or industry is responsible for the collection and transportation of solid waste from the premises, establishment or industry, and shall collect and remove all solid waste accumulated at the premise, business establishment or industry and transport it to an operation for which a permit has been issued by the agency and the County. The solid waste collection service shall be responsible for the collection and transportation of all solid waste for which it has been contracted to collect and remove and will transport it to an operation for which a permit has been issued by the agency and the county at which disposal occurs or at the solid waste disposal facility that is designated through resolution by the Murray County Board of Commissioners.

Subd. 2. Vehicles or containers used for the collection and transportation of garbage, putrescible wastes, or solid waste shall be covered, leakproof, durable and of easily cleanable construction. These shall be cleaned regularly to prevent nuisances, pollution or insect breeding, and shall be maintained in good repair.

Vehicles or containers shall be loaded and moved in such a manner that the contents will not fall, leak or spill therefrom, and shall be covered to prevent blowing of material. Where spillage does occur, the material shall be picked up immediately by the solid waste collector or transporter and returned to the vehicle or container and the area properly cleaned. When the material cannot be immediately picked up or the area cleaned the Solid Waste Officer shall be notified as described in Subd. 5 (c) of this Section.

Subd. 3. Vehicles and containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed and leakproof and shall be constructed, loaded, transported and unloaded in a safe, sanitary and nuisance-free manner. Vehicles shall be properly marked and labeled and be accompanied with a proper shipping manifest, as required by federal and state regulations and statutes.

Subd. 4. The collection and transportation of solid waste shall be performed in accordance with state rules administered by the agency and the County.

Subd. 5. The County Board shall issue a license for the collection and transport of solid waste, as defined under this ordinance as a solid waste collection service. The County Board shall not issue a license until the application complies with all of the following requirements:

- (a) The solid waste collection service will indemnify, defend and save harmless the Commission, the County, their agents, elected officials and employees from all claims, damages, losses liabilities, omission on the part of the hauler or its contractors, agents, servants or employees in the performance of or in relation to any of the work or services to be performed or furnished by the hauler under the terms of this Contract.
- (b) The solid waste collection service shall obtain and keep in force at all times during this Contract, the following insurance policies:
 - 1. Comprehensive general liability insurance covering bodily injury and property damage (combined limit) in the amount of \$200,000 per person and \$600,000 per occurrence, and personal injury in the amount of \$200,000 per person and \$600,000 per occurrence.
 - 2. Comprehensive automobile liability insurance including owned, non-owned and hired automobiles in the amount of \$200,000 per person and \$600,000 per occurrence.
- (c) The solid waste collection service shall provide collection in a timely manner as described in the following:

1. The solid waste collection service will be responsible for the prompt reporting actual or potential delays in their collection schedule. If a delayed collection will occur and the collection service can use alternative methods to make the collection within 24 hours, no violation will be recorded. If the service cannot provide collection within 24 hours he/she must notify the Solid Waste Office directly. From the time of notification, the solid waste collection service will have an additional 24 hours to make the collection.
 2. Customer Complaint: The solid waste collection service has 24 hours to make the collection, and the time starts when the Solid Waste Officer documents reporting the complaint to him, excluding any three (3) day observed holiday.
- (d) Collectors of solid waste from residential customers must charge for collection on the basis of the volume or weight of the waste collected. For single family customers, the collector must offer a minimum 1 can or 1 bag rate. The can, or bag shall be no larger than 30 gallons. Nonoffering of volume based rates shall be grounds for license termination or denial of license renewal.
 - (e) Solid waste must be disposed of at a MPCA permitted facility which is designated through resolution by the County Board of Commissioners. A license will not be issued to those hauling to undesignated sites.
 - (f) Submission of vehicle specifications: All vehicles to be used for solid waste collection and transportation shall have leakproof bodies of easily cleanable construction, completely covered with metal or heavy canvas, and shall be subject to approval and periodic inspection by the Solid Waste Officer.
 - (g) Filing of an application for a solid waste collection and transportation license shall be upon a form provided by the County Board.
 - (h) The solid waste collection service will provide to the Murray County Solid Waste Officer a report of quantities hauled for recyclables and solid waste, at the close of each permit year (June 30). The site where the service disposed of the load(s). Quantities will be reported in cubic yards or tonnages separated by type (e.g. newsprint, paper, plastic, ferrous and nonferrous metals, glass, corrugated, whitegoods, etc.) Omission of the annual report shall be grounds for the terminations of the license or denial of license renewal.

- (i) A surcharge fee for the collection and hauling of solid waste can be established by the Murray County Board through resolution. The fee will be based on cubic yards or tonnage collected in Murray County regardless of the final disposal site. The solid waste collection service will provide by the 10th of each following month the tipping receipts and the fee payment for the preceding month. The surcharge will be established by County Board Resolution for each calendar year. If no new surcharge is adopted in any give year the surcharge from the previous year shall remain in effect. A copy of the current surcharge fee shall be kept on file in the office of the County Auditor. Nonpayment of the money collection surcharge shall be grounds for the termination of the license or denial of license renewal.
- (j) A vehicle permit fee shall be established by the Murray County Board and adopted by resolution. The vehicle permit fee shall be established for a calendar year and if no new permit fee is adopted in any given year the permit fee from the previous year shall remain in effect. A copy of the current permit fee shall be kept on file in the office of the County Auditor. Nonpayment of the annual vehicle permit fee shall be grounds for the termination of the license or denial of license renewal. The County will notify all permit holders by December 1st of each calendar year if there are new fee schedules. Each Permit fee must be paid by December 31st to receive a vehicle permit for the next calendar year.
- (k) Accompanying each calendar year application for license and permit the solid waste collection service will submit a Minnesota State Highway Patrol vehicle inspection checklist for each registered vehicle. Omission of the annual inspection checklist shall be grounds for the termination of the license or denial of the license renewal.
- (l) The applicant must demonstrate to the County Board that it has financial and operational capability to properly collect, transport, and dispose of all solid waste. Such determination shall be made in the sole discretion of the County Board.

SECTION VII. SOLID WASTE DISPOSAL BY SANITARY LANDFILL

A solid waste landfill shall comply with all agency and county permit requirements, and the Murray County Solid Waste Management Plan. The County will not issue a license to a site out of compliance. All other methods of solid waste landfills are prohibited.

SECTION VIII. SOLID WASTE DISPOSAL BY INCINERATION

A solid waste incinerator shall comply with all agency and county permit requirements and the Murray County Solid Waste Management Plan. The County will not issue a permit to a site out of compliance. No other types of burning solid waste are allowed.

SECTION IX. TRANSFER STATIONS

A solid waste transfer station shall comply with all agency and county permit requirements and the Murray County Solid Waste Management Plan. The County will not issue a permit to a site out of compliance.

SECTION X. SOLID WASTE DISPOSAL BY COMPOSTING

A solid waste composter shall comply with all agency and county permit requirements and the Murray County Solid Waste Management Plan. The County will not issue a permit to a site out of compliance.

SECTION XI. DEMOLITION DEBRIS DISPOSAL

Demolition debris disposal shall comply with all agency permit requirements, all county permit requirements and the Murray County Solid Waste Management Plan. All demolition debris disposed of in Murray County must be disposed at a Agency permitted site. Demolition waste generated onsite by construction or demolition of structures on an individual property may be buried on-site provided a permit is issued by the Agency. Placement of demolition for land improvement projects may be allowed provided a permit for that waste is obtained from the Agency. A record of on-site or land improvement burials shall be filed at the office of the County Recorder. Permit application forms may be obtained from the Solid Waste Officer.

SECTION XII. SPECIAL MATERIALS

Subd. 1. Waste Tires - The following requirements are adopted to insure the proper handling of waste tires:

- (a) Chapters 7001 and 9220 of the Minnesota Waste Tire Permitting Rules are hereby incorporated by reference.
- (b) No more than ten (10) waste tires may be stored within the boundaries of any residential lot.
- (c) No more than one hundred (100) waste tires may be stored on any Non-Residential lot except at a properly licensed solid waste facility.
- (d) Exceptions to subdivision 1 and 2 may be allowed when waste tires are utilized outside the building for decorative, recreational, structural, constructional or agricultural purposes where they comply with the requirements or other applicable laws or sections of this ordinance.
- (e) Waste tires within one thousand (1000) feet of a residence shall be stored as utilized in a manner that prevents water from being retained in the tires.

- (f) Waste tires shall not be placed, stored, left, or permitted to remain in a lake, stream, wetland, sinkhole, gully, waterway, floodplain, or shoreland.
- (g) The disposal of waste tires in the land is prohibited. This does not prohibit the storage of unprocessed tires at a collection or processing facility. (115A.904)
- (h) The owner of the land or premises upon which waste tires are located in violation of this ordinance shall be obligated to remove them to a licensed solid waste facility, or obtain the license required by this ordinance within one year of the effective date of this ordinance, or such later date approved by the Murray County Solid Waste Officer.

Subd. 2. Waste Appliances (115A.9561)

- (a) A person may not place major appliances in mixed municipal solid waste; or dispose of major appliances in or on land or in a solid waste processing facility or disposal facility.
- (b) All waste major appliances must be recycled or reused. All major appliances will be delivered to the County appliance depot at the landfill or to a County approved appliance recycling facility. Recycling includes: the removal of capacitors that may contain PCB's, ballasts that may contain PCB's, removal of chlorofluorocarbon refrigerant gas; and the recycling of the metals.

Subd. 3. Waste Oil

- (a) A person may not place used oil in mixed solid waste or place used oil in or on the land unless approved by the agency. (115A.916)
- (b) All commercially generated oil filters will be disposed of, or recycled, according to agency rules and regulations.

Subd. 4. Household Hazardous Waste - All household hazardous wastes shall be disposed of through the Lyon County Regional Household Hazardous Waste Facility or such other facility designated by the County Board.

Subd. 5. Yard Waste (115A.931)

- (a) A person may not place yard waste:
 - (1) in mixed municipal solid waste;
 - (2) in a disposal facility; or

(3) in a resource recovery facility, except for the purpose of composting or co-composting.

Subd. 6. Lead Acid Batteries

- (a) A person may not place a lead acid battery in mixed municipal solid waste or dispose of a lead acid battery. Lead acid batteries are to be taken to lead acid battery recycling facility or returned to the vender for transport to a recycling facility. (115A.915)
- (b) A person who transports used lead acid batteries from a retailer must deliver the batteries to a lead acid battery recycling facility. (115A.9152)

Subd. 7. All materials identified under the provisions of Section IV. Subd. 4 as being banned from mixed municipal waste disposal facilities will be disposed of properly under the rules and regulations of the agency.

SECTION XIII. RECYCLING FACILITIES LICENSE

Subd. 1. Recycling facilities/recycling collection services shall fulfill the requirements established by this ordinance, provide the annual reports, be permitted, and shall be exempt from the permit fees.

Vehicles operated by recyclers must meet the requirements of Section V, with the exception of Subd. (5), (i).

- A. No person shall operate a recycling facility nor allow, permit or cause his land to be used as a recycling facility without a valid license issued by Murray County.
- B. To obtain a license to operate a solid waste recycling facility, the individual must first complete an application and provide the following:
 - 1. Plans, specifications, and proposed operating procedures.
 - 2. Evidence that the property is properly zoned for a recycling facility and that the owner has obtained the necessary building permits.
 - 3. Evidence of knowledge and compliance with all state and federal laws including necessary permits or license for operation as a recycler.

SECTION XIV. MANDATORY SOLID WASTE COLLECTION/RECYCLABLE MATERIALS SEPARATION

Subd. 1. Municipal Collection/Service Areas: By January 1, 1993 all corporate municipalities in Murray County shall pass an ordinance requiring each residential unit and all commercial businesses to have solid waste collection and recyclable separation for either collection or drop-off, according to specifications listed in Minnesota Statute 115A.94.

The Murray County Board, through resolution, will form service areas. The service area will be required to have solid waste collection at each residential unit, and commercial business. The service area will have curbside recycling collection, or alternative recyclable material disposal through drop-off facilities provided by the County.

Subd. 2. Mandatory Residential Recycling: It shall be unlawful for any owner or occupant of a residential or multi-unit residential building within a Murray County municipality or service area to generate and deposit for collection mixed municipal solid waste which contains any of the following recyclable materials:

- a) Aluminum cans
- b) Tin food cans
- c) Glass bottles and jars
- d) Plastic bottles and jugs: HDPE#2 (small neck bottles)
PETE#1
- e) Newspaper
- f) Corrugated boxes
- g) Office paper
- h) Such other material which may be designated by the County Board unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

Subd. 3. Mandatory Commercial, Public, and Semi Public Recycling: It shall be unlawful for any owner or occupant of a commercial building within a Murray County municipality or service area to generate or deposit for collection mixed municipal solid waste which contains any of the following recyclable materials:

- a) Aluminum cans
- b) Tin food cans
- c) Glass bottles and jars
- d) Plastic bottles and jugs: HDPE#2 (small neck bottles)
PETE#1
- e) Newspaper
- f) Corrugated boxes
- g) Office paper

- h) Such other material which may be designated by the County Board unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclable materials.

Subd. 4. Haulers: A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste within a Murray County municipality or service area which:

- a) contains any yard waste
- b) contains any material which has been designated by the County Board as subject to mandatory recycling, pursuant to Section XIII.

Subd. 5. Anti Scavenging Clause: Ownership of the designated recyclable materials set out for curbside collection or deposited in the Murray County drop-off sheds shall be vested in the collector and transporter of recyclable materials designated by the County Board, or by contract through the municipalities. It shall be unlawful and an offense against this section for any person, firm or corporation other than the owner, lessee, or occupant of the property, to pick up said materials for his/her own use.

SECTION XV. LICENSE/PERMIT FEES

Subd. 1. Approval of an application to the County Board for a license for a solid waste management facility shall be contingent upon the payment to the County of a license fee in the amount specified by resolution and adopted by the County Board. Such license fees are hereby found to be equal to the cost to the County for processing the license applications and administering and enforcing this ordinance with respect to said licenses. The fees prescribed shall be paid by a license applicant with respect to each facility maintained by him. Solid waste collection service permit fees shall be paid annually as a condition for license renewal. Solid waste collection service surcharges will be paid monthly as a condition for license renewal. Nonpayment of the required fee shall be grounds for the termination of a license or denial of license renewal. Fees shall be paid to the County Treasurer prior to issuance or renewal of a license.

The license fee for a solid waste management facility shall be established for a calendar year and if no new license fee is adopted in any given year the license fee from the previous year shall remain in effect. A copy of the current license fee shall be kept on file in the office of the County Auditor.

Subd. 2. Approval of an application to the County Board for a license for solid waste collection service shall be contingent upon the payment to the County of the surcharge fee in the amount specified by resolution and adopted by the County Board. Surcharge fees shall be paid monthly as a condition for maintaining a license. Nonpayment of the monthly surcharge fee shall be grounds for the termination of a license or denial of license renewal. Fees shall be paid to the County Treasurer by the 10th of the following month for the previous month based on all tipping receipts.

The surcharge fee will be determined by multiplying the total cubic yards collected by the surcharge fee.

Subd. 3. Approval of an application to the County Board for a license for solid waste collection service shall be contingent upon payment to the County of a vehicle permit fee in the amount specified by resolution and adopted by the County Board. The fees prescribed shall be paid by a licensed applicant for each vehicle operated by him. Nonpayment of annual vehicle permit fee shall be grounds for the termination or denial of license renewal. Fees shall be paid to the County Treasurer prior to issuance or renewal of a license. A copy of the resolution will be kept in the office of the County Auditor.

SECTION XVI. RATES AND CHARGES FOR SOLID WASTE MANAGEMENT

This subdivision is enacted pursuant to Minnesota Statute 400.08 which grants Murray County the authority to impose reasonable charges for solid waste management and disposal. The purpose of this section is to establish a method of collection of such charges. Owners, lessees, and occupants of property situated within the County shall pay for solid waste management services or a solid waste collection service provided by the County, through its contractors, or licensees according to the following schedule:

- (a) Landfill Fees: Are determined by the County Board by resolution.
- (b) Service Fees: The County Board, by resolution, may establish a service charge for solid waste management services provided to the various parcels of land in the County, and such charges may result in an assessment levy payable with real estate taxes. All rates and charges shall be uniform in their application to use and service of the same character and quantity. A copy of the current rate schedule shall be kept on file in the Office of the County Auditor. If no new rate schedule for solid waste management services is adopted in any year, the rate schedule for the previous year will remain in effect. In establishing or revising the rate schedule, the Board may take into account all factors relevant to solid waste management and disposal. Such factors include, but are not limited to, the character, kind and quality of service and of solid waste, method of deposition, the number of people served at each place of collection, and all other factors that enter into the cost of providing the service including, but not limited to, public education, recycling programs, solid waste management facilities operating and debt. On or before October 15th in each year, the County Board shall certify to the County Auditor all unpaid outstanding charges and a description of the lands against which charges arose. It shall be the duty of the County Auditor, upon the order of the County Board, to extend assessment with interest rate provided or in Minnesota Statutes Section 279.03, Subdivision 1, upon the tax rolls of the County for the taxes of the year in which the assessment is filed. For each year ending October 15th, the assessment with interest shall be carried into the taxes and payable in January the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the laws of the State. The charges, if not paid, shall become

delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State. For tax exempt properties the County may collect unpaid charges in Small Claims Court or through such other means as may be approved by the County Attorney. Any property owner who believes that the service charge imposed upon his property is incorrect, may appeal the charge. An appeal form may be obtained at the Office of the County Assessor, and shall be filed within 30 days of the mailing of the service charge statement by the County. Appeals will be processed in the same manner as other applications for abatement of current year payable real estate tax.

- (c) Surcharge: Can be determined by the County Board by resolution. Solid waste collection services hauling within the County, shall pay a surcharge fee based on total cubic yards/tonnage of solid waste collected in Murray County.

Subd. 2. Users of Facilities. Users of solid waste management facilities provided by the County (or the solid waste management facility that is designated by resolution by the County Board), by and through its contractor, or be facilities licensed in the County or by those who collect solid waste from sites, premises, owners, lessees, or occupants of property situated within or outside the County shall pay charges for the use of said facilities according to resolutions established by the County Board; and, facilities according to resolutions established by the County Board; and, the fee rates will be according to the definition of this ordinance for "multi-county mixed waste", and, for solid waste generated within the County. Established tipping fees are adopted in resolution by the County Board and kept on file in the office of the County Auditor. All fees charged for solid waste disposal shall be paid on a monthly basis according to the billing schedule at the facility.

Subd. 3. Service Area. This section is enacted pursuant to Minnesota Statute 4000.08 which grants Murray County the authority to establish and determine the boundaries of the solid waste management areas in the County. The boundaries of the County shall constitute the boundaries of the solid waste management service area.

Subd. 4. Solid Waste Management Fund for Operations Provided by the County. A special account on the official books of the County is hereby created which shall be known as the Solid Waste Management Fund. Monies collected pursuant to this ordinance and all receipts from the sale of real or personal property pertaining to solid waste management systems and the proceeds of all gifts, loans, and issuance of bonds for the purpose of the system shall be credited to the solid waste management fund. All costs of acquisition, construction, enlargement, improvement, repair, supervision, control, maintenance, and operations of the solid waste management system, the county owned recycling system, and facilities which are owned and operated by the County, but not those owned and operated by its licensee or contractor, shall be charged to the Solid Waste Management Fund.

SECTION XVII. ENFORCEMENT AND INSPECTION

Subd. 1. Inspection and evaluation of waste facilities shall be made by the Solid Waste Office or Agency in such frequency as to insure consistent compliance by the facilities with the provisions of this ordinance. Each licensee shall be provided with written and documented notice of any deficiencies, recommendations for their correction and the date when the corrections shall be accomplished. Each licensee shall be required to allow free access to authorized representatives of the Solid Waste Department, County Board, Agency, or to authorized representative of any other governmental agency at any time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, or any other applicable statute, ordinance or regulation.

Subd. 2. The County shall have the right to inspect private property to determine if a waste facility is in accordance with the provisions of this ordinance.

Subd. 3. Where the conditions imposed by any provisions of this ordinance are either more restrictive or less restrictive, than comparable conditions imposed by any other provision of this ordinance or any other applicable law, ordinance, rule and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety and general welfare shall prevail.

Subd. 4. The Solid Waste Office shall be responsible for the administration and enforcement of this ordinance.

SECTION XVIII. LITTER PENALTIES AND DAMAGES.

Subd. 1. This section is taken from Minnesota State Statute 115A.99 of the Minnesota State Waste Management Act.

Subd. 2. (a) A person who unlawfully places any portion of solid waste in or on public or private lands, shorelands, roadways, or waters is subject to a civil penalty of not less than twice nor more than five times the amount of cost incurred by a state agency or political subdivision to remove, process, and dispose of the waste. **(b)** A state agency or political subdivision that incurs cost as described in this section may bring an action to recover the civil penalty, related legal, administrative, and court costs, and damages for injury to or pollution of the lands, shorelands, roadways, or waters where the waste was placed if owned or managed by the entity bringing the action.

Subd. 3. Deposit of penalties. Civil penalties collected under this section must be deposited in the general fund of the jurisdiction enforcing the penalties.

Subd. 4. Private action for damages. A private person may join an action by the state or a political subdivision to recover a civil penalty to allow the person to recover damages for waste unlawfully placed on the person's property. **HIST: 1sp1989 c 1 art 20 s 17**

SECTION XIX. VIOLATIONS AND PENALTIES

Subd. 1. Misdemeanor. Any person who fails to comply with the provisions of this ordinance may be charged with a misdemeanor and upon conviction thereof shall be punished therefore as provided by law. A separate offense shall occur for each day on which a violation occurs or continues.

Subd. 2. Equitable Relief. In the event of a violation or a threat of violation of this ordinance, the Murray County Attorney may take appropriate action to enforce this ordinance, including but not limited to, application for injunctive relief, action to compel performance or other appropriate action in District Court, if necessary, to prevent, restrain, correct, or abate such violations or threatened violations.

Subd. 3. Costs as Special Assessment. If a licensee, owner, or operator of a waste facility fails to comply with the regulations in this ordinance, Murray County make take the necessary steps to correct such violations or terminate the facility and the costs thereof may be recovered in a civil action or may be certified, at the discretion of the County Board, to the Murray County Auditor as a special assessment against real property.

Subd. 4. Suspension of License. Any license issued pursuant to this ordinance may be suspended for not longer than sixty (60) days by the County Board for violation of any provision of this ordinance. Suspension shall not occur earlier than ten (10) calendar days after written notice of suspension has been personally served on the licensee by certified mail with return receipt. Such written notice shall contain the effective date of suspension, the nature of the violation or violations constituting the bases for the suspension, the facts which support the conclusion that a violation or violations have occurred and a statement that the licensee is entitled to a hearing provided that he request such hearing in writing by serving said request personally on the Board within ten (10) calendar days, of service of such notice, exclusive of the day of service. If the licensee fails to request a hearing within the time prescribed, he shall forfeit any right to a public hearing. Following receipt of a request for a hearing, the County Board shall set a hearing date which will be set at a time convenient for the Board. The hearing shall be conducted pursuant to the procedures established in Section XIX, Subd. 6, titled "Hearing" of this Section. If the suspension is upheld and the operation has not demonstrated within the sixty (60) day period that full compliance with the ordinance has been attained and that such compliance will be continued, the County Board may serve Notice of Suspension once again or initiate the revocation procedures in Section XIX, Subd. 5.

Subd. 5. Revocation of License. Any license issued pursuant to this ordinance may be revoked by the County Board for violation of any provision of this ordinance. Revocation shall not occur earlier than ten (10) calendar days after written notice of revocation has been personally served on the licensee, or, if a hearing is requested, until the written decision of the Board has been served on the licensee by registered mail. Such written notice shall contain the effective date of the revocation, the nature of the violation or violations constituting the basis for revocation, the facts which support the conclusions that a violation or violations have occurred, and a statement that the licensee is entitled to a hearing provided that he request such hearing in writing by personally serving said request to the Board within ten (10) calendar days, of service of such notice, exclusive of the day of service. If the licensee fails to request a hearing within the time prescribed, he shall forfeit any right to a public hearing. Upon receipt of a written request for a hearing, the County Board shall set a hearing not earlier than ten (10) days and not later than thirty (30) days from the date of receipt of the request.

Subd. 6. Hearings. Whenever a hearing is requested in regard to an application, renewal, suspension or revocation of a license, the hearing shall be governed by the following procedures:

- (a) **Hearing Officer:** The Murray County Board of Commissioners shall have the power to conduct public hearings pursuant to this section. By resolution, the County board may appoint a hearing officer to assist the County Board. If the individual conducts hearings on behalf of the County Board, he shall submit to the County Board, in writing, findings of fact, conclusions of law and recommendations, and the County Board may base its decision on this report.
- (b) **Notice of Decision:** The County Board shall notify the applicant or licensee in writing as to its decision within five (5) working days after a decision is reached.
- (c) **Procedure:** All hearings shall be conducted in the following manner:
 - 1. The court reporter shall record and transcribe, if necessary, a record of the hearing.
 - 2. All testimony shall be sworn under oath.
 - 3. The rules of evidence shall be informal. All relevant evidence, subject to the County Board's or hearing officer's discretion may be reviewed.
 - 4. The County shall present evidence first.
 - 5. The applicant or licensee, or his counsel, if represented, may cross-examine all witnesses testifying in the proceedings may cross-examine all witnesses testifying in the proceedings.

6. The attorney for the County Board may cross-examine all witnesses testifying in the proceedings.
7. The decision of the County Board shall be based on the evidence presented at the hearing before the County Board or on the Findings of Fact, Conclusion of Law and Recommendations of the hearing officer.
8. If the applicant or licensee fails to appear at the hearing, he shall forfeit any right to a public hearing before the County Board or the hearing officer.
9. Any applicant or licensee aggrieved by a decision of the County Board shall have the right to appeal to the District Court in the County of Murray on questions of law and fact within thirty (30) days of the date of the decision.

Subd. 7. Removal of Suspension. In the case of a suspension, upon written notification from the licensee that all violations for which the suspension was invoked have been corrected, the Solid Waste Department shall re-inspect the site, facility or solid waste collection service within five (5) working days after receipt of the notice for the licensee. If the Solid Waste Department finds on such re-inspection that the violations constituting the grounds for suspension have been corrected, the Solid Waste Department shall immediately terminate the suspension by written notice to the licensee and the County Board.

SECTION XX. VARIANCES.

Upon written application by the applicant or operator, the County Board may grant variances from the provisions of this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance.

A variance may be granted by the Board after a public hearing where the Board determines that enforcement of this ordinance cannot be complied with due to a technological impossibility. Such a variance shall not be granted for a period in excess of two years, but may be renewed upon application of the applicant and after public hearing. A variance may be revoked by the Board at the public hearing prior to expiration of the variance. An application for a variance shall be accompanied by a plan and time schedule for achieving compliance with the ordinance. Prior to any public hearing held by the Board under this provision, persons who may be adversely affected by the granting of the proposed variance shall be given at least thirty (30) days notice to said public hearing.

SECTION XXI. NON-CONFORMING SITES, FACILITIES AND COLLECTION SERVICES

Solid Waste management facilities and solid waste collection services in existence on the effective date of this ordinance and operation of such facilities or collection services shall conform to the provision of this ordinance no later than sixty (60) days after the adoption of the ordinance, or terminate operations or services no later than that date, unless granted a variance.

SECTION XXII. ADDITIONAL REQUIREMENTS

For the purpose of protecting the public health, safety and welfare, the County Board may impose additional requirements consistent with the intent of this ordinance for the operation of solid waste management sites or facilities.

SECTION XXIII. SEVERABILITY

It is hereby declared to be the intention of the County Board that the several provisions of this ordinance be severable in accordance with the following:

Subd. 1. If any Court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.

Subd. 2. If any Court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular structure, site, facility, operation or solid waste collection service, such judgment shall not affect the application of said provision to any other structure, site, facility or operation not specifically included in said judgment.

SECTION XXIV. PROVISIONS ARE ACCUMULATIVE

The provisions of this ordinance are accumulative and additional limitations upon all other laws and ordinances heretofore passed or which may be passed hereafter, covering any subject matter in this ordinance.

SECTION XXV. NO CONSENT

Nothing contained in this ordinance shall be deemed to be a consent, license, or permit to locate, construct, operate or maintain any site, facility or operation, or to carry on any activity.

SECTION XXVI. OTHER ORDINANCES AND REGULATIONS

Nothing in this ordinance shall preclude any local unit of government from adopting more stricter regulations than this ordinance.

SECTION XXVII. REPEALER

The previous Murray County Solid Waste Ordinance is hereby repealed and replaced with the adoption of this ordinance.

SECTION XXVIII. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the Murray
County Board of Commissioners

this _____ day of _____, 19____.

seal

Chairman

Date

ATTEST:

County Auditor

APPROVED AS TO FORM AND EXECUTION:

County Attorney

RECORDED, S NUMBER: 252304

NOBLES COUNTY
SOLID WASTE MANAGEMENT ORDINANCE

NUMBER 961993

APRIL, 1993

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APPENDIXC

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TABLE OF CONTENTS •

	PAGE •
I. TITLE	1
II. PURPOSE_ AND COMPLIANCE	1
III • LEGAL AUTHORITY	1
IV. ABROGATION AND GREATER RESTRICTIONS.....	1
V. DEFINITIONS	2
VI. ABBREVIATIONS	11
ORDINANCE	
VII. ADMINISTRATION	12
VIII. SOLID WASTE COLLECTOR REQUIREMENTS.....	13
IX. RECYCLABLE COLLECTOR REQUIREMENTS	15
X. RECYCLABLES CONTAINER, COLLECTION AND REPORTING REQUIREMENTS	15
XI. SOLID WASTE MANAGEMENT FACILITIES.....	16
XII. SOLID WASTE STORAGE	21
XIII. SOLID WASTE CONTAINER REQUIREMENTS OR COMPLIANCE..	23
XIV. COLLECTION AND TRANSPORTATION OF SOLID WASTE	25
XV. OPEN DUMPING OR LITTERING	29
XVI. COLLECTION, STORAGE AND DISPOSAL OF REGULATED SPECIAL WASTES	30
XVII• ENFORCEMENT	35
XVIII. SERVICE CHARGE	37
XIX. PENALTIES	37
XX. CIVIL ACTION OR COST AS SPECIAL TAX	37
XXI. APPEALS	37
XXII. VARIANCES	38
XXIII. SEVERABILITY	38
XXIV. REPEALER	38
XXV. EFFECTIVE DATE	39

NOBLES COUNTY

Solid Waste Management ordinance

The county Board of commissioners, Nobles County, Minnesota does ordain:

I. TITLE

This ordinance shall be entitled: Solid Waste Management ordinance, Nobles County, Minnesota.

II. PURPOSE AND COMPLIANCE

The Solid Waste Management Ordinance for Nobles county is an ordinance authorizing and providing for County Solid Waste Management; establishing powers and duties in connection therewith; establishing standards and requirements for solid waste management operations within the incorporated and unincorporated areas of the county of Nobles; requiring licenses for storage, collection, transportation, processing, and disposal of solid waste, embodying and supplementing the minimum standards and requirements established by rules of the Minnesota Pollution Control Agency; providing for enforcement of said requirements; imposing penalties for failure to comply with these provisions; requiring performance bonds and insurance; and promoting the health, safety, and welfare of the public.

III. LEGAL AUTHORITY

The County Board of Nobles County, under the authority provided in Chapter 115, 115A, 116, 375, 400, 561.01 and 609.74 of the Minnesota Statutes and Nobles county Solid Waste Ordinances, does ordain:

IV. ABROGATION AND GREATER RESTRICTIONS

The Nobles County Board has determined this regulation be adopted to:

- IV.01 Protect the public's health, prevent public nuisances, and prevent contamination of the groundwater and other environments of Nobles County from solid waste through the control of number, location and operation of such facilities.
- IV.02 Preserve and protect our land and water resources.
- V.03 Assure that all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future.

- IV.04 Support activities that will promote use and reuse of materials found in solid waste that would otherwise be disposed in ways that would not recapture the useful characteristics of its components.
- IV.05 Augment, supplement and support existing Nobles County and State of Minnesota controls on solid waste.
- IV.06 Embody the purpose found in Minnesota State Laws and Rules on Solid waste.
- IV.07 The Nobles County Solid Waste Ordinance shall follow Minnesota Statutes, including but not limited to Chapters 17.135, 115, 11SA, 116, 375, 400, 561.01, 609.671, 609.68 and 609.74.

V. DEFINITIONS

When used in this ordinance, the words and phrases shall be interpreted by reference to the definitions contained in Minn Regulations 7035.03.00, and Minn. Stat. 11SA.03, 11SA.55 and 297A.01 unless the context clearly indicates otherwise. The following additional definitions supplement those cited immediately above.

- 11.01 *Acceptable Household Quantities.* Solid Waste which is otherwise Unacceptable Waste, but which is contained in Garbage, refuse, and Mixed Municipal Solid waste from normal household activities. For the purposes of this definition, "household" includes any residential dwelling unit or place of transient residence.
- V. 02 *Acceptable Non-Household Waste.* Solid Waste which is otherwise Unacceptable Waste, but which is contained in Garbage, refuse, and municipal Solid Waste generated from commercial, industrial, or community activities, where the quantity of such Unacceptable Waste contained in any load delivered to the Facility does not constitute a significant portion of such load, provided, however, that no amount of Hazardous Waste that is regulated by law shall be Acceptable Waste. The term significant may vary with the chemical constituents of the waste and/or the waste stream composition. Therefore, "significant" shall be as established by the Department on a material basis.
- V. 03 *Acceptable Waste.* Solid Waste which is acceptable at the Facility. Acceptable Waste shall include Garbage, refuse, and other municipal Solid Waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, and which is not otherwise defined herein as Unacceptable Waste. No amount of Hazardous Waste that is regulated by law is acceptable at the Facility.

Acceptable waste shall also include Acceptable Household
Wastes and Acceptable Non-Household Waste, as defined herein.

- V.04 *Adequate turf.* A living ground cover of native perennial grasses or other suitable vegetation free of noxious weeds which provides ground cover to effectively prevent loss of final cover by winds or water erosion.
- V.05 *Agency.* The Minnesota Pollution Control Agency
- V.06 *Air Pollution.* The presence in the outdoor atmosphere of any air contaminant or combination thereof in such quantity, of such nature and duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.
- V.07 *Brush Disposal Facility.* A site used exclusively for disposal in or on the land of trees and tree parts including stumps, branches, and their attached leaves. such disposal may include open burning and burial of the resulting ash and unburned tree parts.
- V.08 *Canister System.* A facility, usually to serve the public, where solid waste is deposited in mechanically serviced containers as an intermediate step of congregating solid waste from several properties for periodic removal of the accumulated waste by a commercial hauler.
- V.09 *Closure.* Actions to prevent or minimize the threat to public health and the environment posed by a facility that no longer accepts the solid waste for which it operated or was permitted, including the removal of contaminated equipment, the removal of liners, applying final cover, grading and seeding final cover, installation of monitoring devices, construction of ground and surface water diversion structures, and gas control systems as necessary.
- V.10 *Collection.* The aggregation of solid waste from the place at which it is generated, and includes all activities up to the time the waste is delivered to a waste facility.
- V.11 *Collector/s.* Any Person/s who owns, operates, or leases vehicles for the purpose of collection and transportation of any type of Solid Waste.
- V.12 *Commercial hauler.* Any person who owns, operates, or leases vehicles for the purpose of collection and transportation of any type of solid waste.

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Nobles County Solid waste Management Ordinance

- V.13 *committee.* Nobles county Solid Waste Advisory committee
- V.14 *Compost Facility.* A site used to compost or co-compost solid waste including all structures used to control drainage, collect and treat leachate, and storage areas for the incoming waste, the final product, and residuals resulting from the composting process.
- V.15 *Composting.* The controlled microbial degradation of organic waste to yield a hwnus-like product.
- V.16 *County.* Nobles County, Minnesota.
- V.17 *County Board.* The Nobles County Board of Commissioners.
- V.18 *cover.* Cover material that is periodically spread and compacted on the top and side slopes of compacted solid waste to control fire, infiltration, and erosion.
- V.19 *Cover Material.* Material approved by the Agency and Health Department that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness, and compactibility.
- v. 20 *Environmental Services.* The Nobles County Office of Resource Conservation and Development.
- V.21 *Demolition Landfill.* A site used to dispose of demolition waste.
- v.22 *Demolition Debris.* Non-putrescible solid waste resulting from the construction, remodeling, repair or demolition of structures including buildings and paved roads. It includes waste building materials, packaging and rubble such as concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, structural metals, insulation, roofing material, and plastic building parts. It does not include hazardous materials, asbestos, industrial waste, or appliances.
- V.23 *Disposal.* Has the meaning given it in Minnesota Statutes Section 115A.03. Subdivision 10.
- V.24 *Dumping.* The discharge, deposit, injection, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any water, including ground waters.

- V.25 *Farm*. A tract of land which is principally used for agricultural activities such as the production of cash crops, livestock or poultry farming. Such farms may include agricultural dwelling and accessory buildings and structures necessary to the operation of the farm.
- V.26 *Final Solid Waste Disposal*. The site, facility, operating procedures, and maintenance thereof for the complete and ultimate disposal of solid waste by the sanitary landfill method in accordance with MPCA Rules and this ordinance.
- V.27 *Fire Marshall*. The state Fire Marshall or the Chief of the Fire Department in a municipality that has adopted the Uniform Fire Code of the state of Minnesota.
- V.28 *Floodplain*. Is as defined in Minnesota Statutes, Chapter 104.
- V.29 *Hazardous Waste or Hazardous Substance*. Hazardous Waste or Hazardous Substance has the meaning given it in Minnesota Statutes, section 115 B.02, subdivision 5.
- V.30 *Household or Family*. An individual, or two or more persons related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit, exclusive of usual service.
- V.31 *Household Hazardous Waste*. Any waste generated from household activity that exhibit the characteristics of or that is listed as hazardous waste under Agency Rules, but does not include waste from commercial activities that is generated, stored, or present in a household. Household Hazardous Wastes include, but are not limited to paints, solvents, cleaners, pesticides, herbicides, paint thinner, drain opener, varnishes, stains, and adhesives.
- V.32 *Incineration*. The process of burning wastes for the purpose of volume and weight reduction in facilities designed for such use.
- V.33 *Industrial Waste*. All waste generated from an industrial or manufacturing process and waste generated from non-manufacturing activities such as service and commercial establishments. Industrial waste does not include office materials, restaurant and food preparation waste, discarded machinery, demolition waste, or household waste.
- V.34 *Infectious Waste*. Laboratory waste, blood, regulated body fluids, sharps and research animal waste that have not been decontaminated.

- V.35 *Land Disposal Facility*. Any tract or parcel of land, including any constructed facility, at which solid waste is disposed of in or on the land.
- V.36 *Leachate*. Liquid that has percolated through solid waste and has extracted, dissolved or suspended materials from it.
- V.37 *Licensee*. Is defined as the Person who has been given authority by the County Board or the Office of Resource Conservation and Development to carry out any of the activities for which a license is required under the provisions of this ordinance.
- V.38 *Licenses*. A license is issued only by the Nobles County Commissioners to the applicants of all of those facilities as stated in the Nobles County Solid Waste Ordinance.
- V.39 *Littering*. The unlawful placing of any portion of solid waste in or on public or private lands, shorelands, roadways, or waters.
- V.40 *Mixed Municipal Solid Waste (MSW)*. Has the meaning given it in Minnesota Statutes, Section 115A.03, Subdivision 21.
- V.41 *MSW Land Disposal Facility*. A site used for the disposal of mixed municipal solid waste in or on the land.
- V.42 *Monitoring Point*. Any installation used to determine the quality or physical characteristics of ground water, surface water, or water in the unsaturated zone.
- V.43 *Multi-county Mixed Waste*. Solid waste that is collected outside one County and then transported to another county and mixed with solid waste from that County.
- V.44 *Municipality*. A city, village, borough, county, town, sanitary district, school district or other governmental subdivision or public corporation, or agency created by the legislature.
- V.45 *Office*. Minnesota Office of Waste Management.
- V.46 *Open Burning*. Burning any matter whereby the resultant combustion products are emitted directly to the open atmosphere without passing through an adequate stack, duct, or chimney.
- V.47 *Open Dump*. Dump mean a land disposal site at which solid waste is disposed of in a manner that does not protect the environment, is susceptible to open burning, and is exposed to the elements, flies, rodents and scavengers.

- V.48 Operator. The person responsible for the overall operatiop of a facility.
- V.49 *Permit*. A permit issued by the Solid Waste Administrator under Nobles County Solid Waste Ordinances to a category of permittees whose operations, emissions, activities, discharges or facilities are acceptable by the Solid Waste Administrator.
- V.50 *Person*. Any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal entity, but does not include the Pollution Control Agency.
- V.51 *Personnel or Facility Personnel*. All persons who work at or oversee the operation of a solid waste management facility, and whose actions or failure to act may result in noncompliance with the requirements of this ordinance.
- V.52 *Pollutant*. Has the meaning given it in Minnesota Statutes, Section 115.01, Subdivision 13.
- , V.53 *Post-Closure and Post-Closure Care*. Actions taken for the care, maintenance, and monitoring of a facility after closure that will prevent, mitigate, or minimize the threat to public health and environment posed by the closed facility.
- V.54 *Processing*. The treatment of solid waste after collection and before disposal. Processing includes but is not limited to volume reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification.
- V.55 *Putrescible Material*. Is defined as Solid Waste which is capable of becoming rotten and which may reach a foul state of decay or decomposition.
- V.56 *Recovered Material*. Are materials that have been separated from from solid waste and stored so that the material is properly protected from environmental degradation and is not a source of odor, harborage for skunks, rodents or mosquitoes and is being processed, modified, or converted to be a raw material that may be beneficially used.
- V.57 *Recyclable Materials*. Materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastics, metals, automobile oil, and batteries. Refuse derived fuel or other material that is destroyed by

incineration is not a recyclable material.

- V.58 *Recycling Facility.* A site used to separate, process, modify, convert, or otherwise prepare solid waste so that component material or substances may be beneficially used or reused as raw materials.
- V.59 *Refuse.* Putrescible and nonputrescible solid wastes including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, and market and industrial solid wastes, and including municipal treatment wastes which do not contain free moisture.
- V.60 *Residence.* Any building or portion thereof used as a dwelling or sleeping area for people.
- V.61 *Residential Lot.* Any lot in a residential zoning district.
- V.63 *Resource Recovery.* The reclamation for sale or reuse of materials, substances, energy, or other products contained within or derived from waste.
- V.64 *Responsible Party.* The owner, operator, or successor in interest of a solid waste facility.
- V.65 *Rubbish.* Nonputrescible solid wastes, including ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind.
- V.66 *Run-off.* Any liquid that drains over land from any part of a facility.
- V.67 *Run-on.* Any liquid that drains over land onto any part of a facility.
- V.68 *Sanitary Landfill.* An area of land which is, or could be used, for the disposal of solid waste without creating pollution of land, water or air, hazards to the public health or safety, or public nuisance, by utilizing the principles of engineering to confine the solid waste to the smallest practical volume, and to cover it with at least six inches of cover material at the conclusion of each day's operation, or at more frequent intervals as may be necessary.
- V.69 *Scavenging.* Uncontrolled removal of solid waste materials from a licensed solid waste disposal facility.

- V.70 *Self Generated Solid Waste.* Any person or firm or corporation owning or operating a residence, business, an industry or commercial establishment which generates solid waste by its operations.
- V. 71 *Shoreland.* Is defined as land located within the following distances from the ordinary high water elevation of public waters:
- (a) Land within 1,000 feet from the normal high watermark of a lake, pond, reservoir, impoundment, or flowage; and
 - (b) Land within 300 feet of a river or stream or the landward side of flood plain delineated by ordinance on such a river or stream, whichever is greater.
- V..12 *Sludge.* Has the meaning given it in Minnesota Statutes, Section 116.06, Subdivision 91.
- V. 73 *Solid waste Collection.* The gathering of solid waste from public or private places.
- V. 74 *Solid waste Facility.* All property real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste. It includes but is not limited to the storage, collection, transportation, processing and reuse, conversion, or disposal of solid waste in a safe environmentally sound manner.
- V. 75 *Solid waste Land Disposal Facility.* A facility used to dispose of solid waste in or on the land.
- V. 76 *Solid waste Management Plan.* The Nobles County Solid Waste Management Plan, date February, 1992, and amendments thereto.
- V. 77 *Solid waste Management System.* A total system for the storage, collection, transportation and final disposal of solid waste.
- V. 78 *Solid Waste Transportation.* The conveying of solid waste from one place to another, by means of vehicle, rail car, water vessel, conveyor, or other means.
- V.79 *Source Separated Materials.* Materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in manufacturing processes.
- V.80 *Special Wastes.* Nonhazardous solid wastes requiring management other than that normally used for mixed municipal solid waste.

- V.81 *state.* The state of Minnesota.
- V.82 *storage.* The interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal.
- V. 83 *Tipping Fee.* The fee charged to collectors and citizens for waste delivered to the facility.
- V. 84 *Transfer Facility.* A facility in which solid waste from collection vehicles is concentrated for subsequent transport. A transfer facility may be fixed or mobile.
- V. 85 *Unacceptable Waste.* Solid Waste Which is not acceptable at the MMSW Facilities. Unacceptable Waste shall include waste which would pose a threat to health or safety, or which may cause damage to, or materially adversely affect the operation of the Facility including but not limited to: explosives, unprocessed hospital, pathological and biological waste; commercial, industrial, and community Hazardous Waste, mining waste, human or animal remains, and sludges except as regulated by federal, state and local law; chemicals and radioactive materials; cesspool or domestic sewage; waste in liquid state; hazardous refuse of any kind, such as cleaning fluids, used crank case oils, cutting oils, paints, acids, caustics, poisons and drugs; and any other materials that the county, or that any other governmental agency or unit having appropriate jurisdiction shall determine, is harmful or of a toxic or dangerous nature.
- V.86 *Waste Processing.* The treatment of solid waste after collection and before disposal. Processing includes but is not limited to volume reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification and the operations of a metal recycling or salvage facility.
- V.87 *Waste Tire.* Means a pneumatic tire or solid tire for motor vehicles that has been discarded or that can no longer be used for its original intended purpose because of wear, damage, or defect.
- V.88 *Waste Tire Collection Site.* Means a license Waste Facility used for the storage of Waste Tires prior to their transport to a Waste Tire Processing Facility.
- V.89 *Waste Tire Processing Facility.* Means a licensed Waste Facility used for the shredding, slicing, processing or manufacturing of usable materials for Waste Tires, and may include temporary storage activity. Processing does not include the retreading of Waste Tires.

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- V.90 *Water Table.* The surface of the ground water at which the pressure is atmospheric. Generally this is the top of the saturated zone.
- V.91 *Wetland.* A natural marsh where water stands near, at, or above the soil surface during a significant portion of most years, and which is eligible for classification as an inland fresh water, wetland type 3, 4, or 5 under United States Department of Interior classifications or under Minnesota Wetland Act of 1991.
- V.92 *White Goods.* Major appliances. Major appliances include but is not limited to clothes washers and dryers, dishwashers, hot water heaters, garbage disposers, microwave ovens, trash compactors, conventional ovens, ranges and stoves, humidifiers and dehumidifiers, air conditioners, refrigerators, and freezers.
- V.93 *Working Face.* That portion of the land disposal facility where waste is discharged and is spread and compacted prior to the placement of cover material.
- V.94 *Yard Waste.* The non-woody garden wastes, leaves, lawn cuttings, weeds, and prunings generated at residential or commercial properties.

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The following abbreviations, 'When used in this ordinance, shall have the meanings ascribed to them in this section.

AM	ante meridiem (12 midnight to 12 noon)
avg	average
BTU	British thermal unit
cu yd	cubic yard
dRDF	densified refuse derived fuel
EPA	Environmental Protection Agency
ft	feet
fps	feet per second
gal	gallon
hp	horsepower
hr	hour
in.	inch
kwh	kilowatt hour
lb	pound
lin	lineal
LF	lineal feet
max	maximum
MPCA	Minnesota Pollution Control Agency
MMSW	Mixed Municipal Solid Waste
MSW	Municipal Solid Waste
mi	.mile
NFPA	National Fire Protection Association
no.	number
PM	post meridiem (12 noon to 12 midnight)
psi	• pounds per square inch
RDF	refuse derived fuel
SWMP	Solid Waste Management Plan
sq ft	square feet
sq yd	square yard
tpd	tons per day
tpy	tons per year
OWM	Minnesota Office of Waste Management
yr	year

VII. ADMINISTRATION

VII.01 The Nobles County Office of Resource conservation and Development shall be responsible for general administration and enforcement of this ordinance.

VII.02 *Solid Waste Administrator*

The Nobles county Solid waste Administrator shall be appointed by the Nobles County Board of Commissioners.

VII.03 *Nobles County Solid Waste Advisory Committee*

Nobles county Solid Waste Advisory Committee is an integral part of the Nobles County Office of Resource Conservation and Development. The committee is responsible for reviewing, guiding and advising the Nobles county Office of Resource conservation and Development and providing recommendations to the Nobles County Board on Solid Waste Management issues on a regular basis.

VII.04 *Authority*

The Solid Waste Administrator has been given authority by the Nobles county Board of Commissioners. The Solid Waste Administrator shall have all necessary authority to implement and carry out the provisions of this ordinance including, but not limited to, the following:

- a. To review and consider all applications and supporting materials which are referred to the Environmental office for operations within the County, require additional documentation and information, and after such review and consideration, to recommend in writing with documentation to the County Board whether a license should be granted or denied.
- b. To inspect operations to determine compliance and to investigate complaints about violations of this ordinance.
- c. To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including, but not limited to, methodology, chemical and physical considerations, and engineering.
- d. To advise, consult, and cooperate with the public and other governmental agencies in furtherance of the purpose of this

ordinance.

- e. To require applicants to post bonds and proof of insurance at an amount set by the Board of Nobles county Commissioners.
- f. To recommend to the County Attorney that legal proceedings be initiated against a person to compel compliance with the provisions of this ordinance or to abate or control an operation not in compliance with this ordinance.
- g. To plan, implement, and administer all County operated waste abatement facilities and programs.
- h. To implement all programs as proposed by the approved and as amended County Solid Waste Management Plan.

VIII. SOLID WASTE COLLECTOR REQUIREMENTS

VIII.01 *Solid Waste Hauling*

It shall be unlawful for any Solid Waste Hauler to haul solid waste or materials for hire within Nobles County without securing a permit to do so from the Board of Commissioners.

VIII.02 *Solid Waste Hauling Permits*

The county Board may in its discretion, issue a permit for the hauling of solid waste, for hire, only upon compliance with the following requirements;

- a. Filing of an application for a solid waste hauling permit, upon a form provided by the County Board and available at the County Environmental Services.
- b. Filing proof of comprehensive general liability insurance covering bodily injury and property damage (combined limit) in the amount of \$200,000 per person and \$600,000 per occurrence, and personal injury in the amount of \$200,000 per person and \$600,000 per occurrence.
- c. Filing proof of comprehensive automobile liability insurance including owned, non-owned and hired automobile in the amount of \$200,000 per person and \$600,000 per occurrence.
- d. The type, number and capacity of solid waste hauling vehicles, and other containers or collection equipment

used in Nobles county for Solid waste. such vehicles shall have leak-proof bodies of easily 'cleanable construction, 'completely covered to prevent any loss of material, and shall be subject to approval and periodic inspection by the Solid Waste Administrator.

- e. Submission of a description of the route to be followed by all solid waste hauling vehicles between the ,a.rea(s) of collection and the Solid Waste Disposal Facility. This need not include information about specific customers. The route shall be subject to approval *by*the Solid Waste Administrator. •
- f. Payment of an annual permit fee set by resolution by the County Board. Payment of the permit fee may be waived by the County Board if the applicant is a governmental agency.
- g. Collectors of solid waste from residential customers must charge for collection on the basis of the volume or weight of waste collected by the date mandated by the state. For single family customers, the collector must offer a minimum 1 can, bag or tag rate. Non-offering of volume o◆-weight rates shall be grounds for license termination or • denial of license renewal. A brief description of how the solid waste hauler will comply with this rule shall be submitted with the permit application. All solid waste shall be disposed of only at the site(s) declared as the County disposal site(s) by the County Board. The County disposal site(s) must have a permit from the agency and a license from the County where the disposal site is located. A license will not be issued to those hauling to unpermitted sites.

VIII.03 *Compliance*

The solid waste hauler and the vehicles used in collecting and transporting solid waste or designated recyclable materials . within Nobles county must comply with all state and local laws.

VIII.04 *Pickup Schedules*

The Solid Waste Hauler must specify the time and day of collection that their customers are to place their solid waste out on their property for collection. The Solid Waste Hauler must collect the solid Waste within 12 hours of the stated time. The stated time must be communicated to customers through local broadcast or print media or other means that reasonably insures that customers are aware of :i;-egular or

modified pickup schedules. The collection location must be on the customer's property in a location at or near the regular solid waste collection site or such other location mutually agreeable to the hauler and the customer.

VIII.05 *Licensed Hauler Requirement*

Municipalities or Townships within Nobles county that contract with Refuse Haulers or Recyclables Collector must contract with a Refuse Hauler or Recyclable Collector who is licensed by Nobles county. Contracts shall be consistent with the provisions in this Subsection.

IX. RECYCLABLE COLLECTOR REQUIREMENTS

IX.01 *Permits Required*

The county Board may, in its discretion, issue a permit for the hauling for hire of certain types of recyclables that are identified by county Resolution pursuant to Section XIV, Subdivision 7 of this ordinance. In order to obtain a permit the recyclable collector must be in compliance with the following requirements;

- a. Fulfilling the requirements of Section VIII.

IX.02 *Term Replacement*

For the purposes of this section, in Section VIII, subdivisions 1 and 2, the terms "recyclables" shall replace the term "solid waste" and "recyclables processing facility" shall replace the term "solid waste disposal facility", and "recyclables hauler" shall replace "solid waste hauler". These terms shall have meaning as defined in Section V.

X. RECYCLABLES CONTAINER, COLLECTION AND REPORTING REQUIREMENTS

X.01 *Recyclables Container Requirements*

By the approval of the County Board, the recyclable collector may specify the type of container their customer must place the recyclables in. The containers must be provided by the recyclable collector or already available to a customer.

x. 02 *Recyclables Preparation*

By the approval of the County Board, the Recyclable collector may specify how a customer is to place their recyclables out

for collection and how the recyclables are to be prepared. The Resource conservation and Development Office reserves the right to review and modify the amount of preparation required by the Recyclable Collector in consideration of local recyclable market requirements.

X. 03 *Frequency of Recyclables Collection*

The Recyclable Collector shall collect recyclables' from each customer at least twice a month.

X.04 *Quantity Report Required*

The Recyclable Collector must submit a monthly report to the Resource Conservation and Development, on or before the fifth working day following the reportable month, identifying the weight in tons of all recyclables collected from Nobles County residents. To the extent possible, the report must identify and distinguish the weight of each type of recyclable material collected from each sector, city, or town, and the revenue generated from the sell of the recyclables.

XI. SOLID WASTE MANAGEMENT FACILITIES

XI.01 *Solid Waste Management Facilities*

Unless otherwise provided by this ordinance, no person shall cause, permit or allow real or personal property under his or her control to be used for solid waste management purposes, except at an operation for which a license has been granted by the county. For the purposes of this ordinance, solid waste management includes the following specific activities. In addition to other requirements listed herein, applicants for licenses must meet all requirements as the stated rules and statutes noted below.to the satisfaction of the Solid Waste Administrator:

- a. Operation of MSW Land Disposal Facilities **Minn.** Rules Ch. 7035.
- b. operation on any Incinerator Facilities with a capacity greater than 1000 lbs per hour Minn. Rules Ch. 7005 and 7035.
- c. Operation of Composting and Co-Composting Facilities Minn. Rules Ch. 7035.
- d. Operation of Recycling Facilities Minn. Rules Ch. 7035.

- e. Operation of Transfer Station Facilities Minn. Rules Ch. 7035.
- f. Solid Waste Storage Minn. Rules Ch. 7035.
- g. Waste Tires Minn. Rules Ch. 7035, 9220, and Minn. Stat. 115A
- h. Collection and Transportation of Solid Waste Minn. Rules Ch. 7035.
- i. Intermediate or final disposal of brush and trees.
- j. other activities or facilities required to be licensed by this ordinance.
- k. Those Solid Waste Management Facilities which are applying for a Permit-by-Rule from MPCA or are not required to apply for a license from MPCA, are exempt from applying for a license in Nobles County. However, they are required to obtain a **permit** from the county. These facilities include:
 - 1. Operation of ash, street cleaning and Demolition Debris Landfill Minn Rules, 7035.
 - 2. Storage and spreading of contaminated soils, MPCA, land application of petroleum contaminated soils: single Application sites.
 - 3. other activities or facilities required to obtain a permit by this ordinance.

A license or a permit shall not be required under this ordinance for any farm site used for the disposal of solid waste from family(s) or household(s) living at the site. A member of which is the owner, occupant or lessee of the property, but such site shall be operated and maintained in a nuisance free and aesthetic manner consistent with the intent of this ordinance.

XI.02

Commencement of Operation

Applicants for a license shall not commence any operation until the license application has been approved by the County Board, and a license granted by the Office of Resource Conservation and Development.

XI.03 *Pre-Application Requirements*

Prior to the County's consideration of an application for the initial license of a Solid Waste Facility license governed by this ordinance, the applicant shall submit to the Office of Resource Conservation and Development for review a needs assessment showing:

- a. The name and address of the owners and operators of the proposed site and facility.
- b. Geographical areas expected to be served by the proposed facility and the current and projected population of the area(s) to be served for the expected life of the facility.
- c. Compliance with SWAMPBUSTER Provisions of the Food securities Act of 1985, Food Agriculture and Trade Act of 1990, and the Minnesota Wetland Act of 1991.
- d. The proposed operating hours, an estimate of the type and number of vehicles using the facility and the quantity of solid wastes deposited during those hours.
- e. Adequate public or private road to the facility.
- f. The anticipated type, quantity, and source of material to be handled at the facility.
- g. The type and amount of equipment to be provided for operation of the facility.
- h. A description of the intended operating procedures.
- i. The availability and capacity of existing similar operations in the County.
- j. The inadequacy or impracticality of the existing facilities.
- k. The proposed facility complies with the County Solid Waste Management Plan and the intent of this ordinance.

XI.04 *License Requirement and Non-Transferability*

A non-transferable license issued by the Office of Resource Conservation and Development, shall be required for the operation of solid waste facilities and other activities

involving solid waste.

XI.05 *Licensing Period*

Unless otherwise provided by the Office of Resource Conservation and Development, the license year for solid waste sites, facilities, operations and activities shall be from January 1 through December 31.

XI.06 *Plans or Specifications Submittal*

For facilities requiring an Agency permit for a solid waste facility or activity, the applicant for a license or license renewal may be required to submit complete sets of plans, specifications and/or reports.

XI.07 *Consent of Concerning Body*

The applicant shall submit written proof that the municipal or township governing body in which solid waste facilities, operations or activities are located has considered the establishment of solid waste facilities, operations or activities with respect to zoning and other applicable regulations and the results of that consideration.

XI.08 *Submittal to the State*

All submittals to the State during the state permitting and/or licensing process for solid waste facilities and operations shall also be submitted to the Office of Resource Conservation and Development.

XI.09 *Waiver*

The applicant shall submit additional data requested by the Resource Conservation and Development Office. The County Board may waive a requirement for submitting certain information if such a waiver will not endanger the health or safety of the public.

XI.10 *Application Response*

After receiving a completed application for the operation of a solid waste facility or activity, the County Commissioners shall have 45 days to either grant or deny the license or license renewal. Submission of false information may constitute grounds for denying a license or license renewal, or suspension by revocation of an issued license.

XT.11 ~~Indemnification~~
XI.11 *Indemnification*

Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant furnishing to the County a performance bond, in any amount to be set by the county Board, and naming the County as obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Minnesota as sureties. The condition of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this ordinance in the operation of the waste facility or activity, or if for any reason, ceases to operate or abandons the waste facility or activity, and the County is required to expend any monies or expend any labor or material to restore the facility to the condition and requirements provided by the ordinance, the obliger and the sureties on its bond shall reimburse the County for any and all expenses incurred to remedy the failure of the principal to comply with the terms of the ordinance, and the obliger and its sureties will indemnify and save the County harmless from all losses, costs and charges that may occur to the county because of any default of the obliger under the terms of his license to operate and the ordinances of the County. The performance bond shall be subject to cancellation by the surety at any time only upon being given one hundred twenty (120) days prior written notice of cancellation to the County. In lieu of part or all of said bond, the licensee may provide evidence of financial assurance in a form acceptable to the County Board to be used to bring the facility or activity into compliance with said requirements.

XI.12 *Insurance Requirement*

The licensee shall furnish to the county certificates of insurance issued by insurers duly licensed within the State of Minnesota covering public liability insurance, including general liability, automobile liability, completed operations liability, and bodily injury liability in amounts to be set by the County Board. In addition, the licensee shall provide evidence of worker's compensation coverage in the required statutory amounts.

XI.13 *Financial Assurance*

Unless otherwise provided by the Office of Resource Conservation and Development, issuance or renewal of any license shall be contingent upon the owner of the site or

facility or the operator or both providing financial assurance for the closure, post-closure maintenance and monitoring of the site or facility. 'use of this financial assurance shall be limited to the site or facility for which it was provided.

- Documentation submitted with the application for Resource Conservation and Development Office approval shall
- include funding procedures, a description of the funding method, the value of the funding, and an inflation adjusted cost estimate which assures that the closure and post-closure activities at the site or facility take place. The amount of the financial assurance shall be equal to or exceed the total estimated post-closure costs specified in the approved post-closure plan.

XI.14 *Fees*

The county Board shall, by resolution, establish fees, including fees for the application, initial license, renewal of license, and such other fees as may be necessary for the administration of this ordinance. The County Board may waive fees for any political subdivision applying for a solid waste permit.

XII. SOLID WASTE STORAGE

XII.C1 *Responsibility*

- .. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises, shall be responsible for the satisfactory storage of all solid waste accumulated at the premise, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection, transportation, and disposal of all solid wastes.

XII.02 *Solid Waste Accumulations*

owners and managers of every property shall be responsible for maintaining all open areas free of improperly stored solid waste accumulations. For purposes of this ordinance this shall include: (a) animal feces; (b) inoperable machines, appliances, fixtures, and equipment so damaged, deteriorated or obsolete as to have no substantial value; (c) lumber piles and building materials unless being actively used by a business, construction or agricultural operation requiring use of such

lumber or materials; (d) cans, broken glass, broken furniture, boxes, crates, and other debris; (e) and other forms of mixed municipal solid waste and can be reasonably considered solid waste and constitute a danger to public health and the environment.

Nothing in this subsection is designed to restrict the lawful activities of agricultural farms and duly established and licensed automobile, construction, scrap iron, metal recyclers, and salvage operations.

XII.03 *Storage Facilities and Containers Required*

Every property shall be supplied with adequate solid waste storage facilities and containers. Such facilities and containers shall be supplied by the owner of the property or by contract with a commercial hauler. Property owners who legally dispose of solid waste on their premises pursuant to Minn. Stat. Section 17.135 and are otherwise in compliance with this ordinance are exempt from this subdivision.

XII.04 *Provided Facilities To Be Used*

Property owners shall cause occupants and employees to store wastes for removal in the solid waste storage facilities and containers provided; The property owner shall not knowingly permit solid waste to be placed in locations or in a manner that the solid waste can be scattered by water, wind, animals, or insects.

XII.05 *Frequency of Container service*

Non-Putrescible wastes suitable and sorted for recycling, or putrescible wastes may be contained for not more than ten (10) days if they are stored in an aesthetically acceptable manner that avoids unacceptable health risk or nuisances, and otherwise complies with this ordinance.

XII.06 *Toxic or Hazardous Wastes*

Toxic or hazardous wastes shall be stored in durable, leak-proof containers and shall be "painted and marked" so as to easily identify the container as toxic or hazardous waste, (e.g. a yellow band that encircles, at a minimum, the center one-third (1/3) of the container) consistent with federal and state regulations. All previous lettering and numbering will be obliterated from the container. The container will be marked within the yellow band, or other easily identified area,

Nobles County Solid Waste
Management Ordinance

using a permanent marker as follows: The chemical name of the waste, the UN or NA Number, the contaminants present by percentages, the start date, the generators name and address and the generator's EPA or Agency identification number. Such wastes shall be stored in a safe location, accompanied with a description of the chemical composition of the substance stored within the container and be in compliance with the storage and transportation requirements of Agency regulations, Minnesota Department of Transportation regulations, federal and state regulations and this ordinance. Vehicles shall be properly placarded and be accompanied **with** a proper shipping manifest. In any case a generator of hazardous waste must comply with all federal and state laws and regulations applicable to the generation, storage, transportation, processing and disposal of hazardous waste (whichever laws and regulations are more stringent).

XII.07 *Bulky Items*

Solid Waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a manner which is pollution-free, nuisance-free, and satisfactory to the Solid waste Administrator.

XII.08 *Recycling Containers*

Solid Waste shall not be stored or disposed of in containers specifically designated for the collection or deposit of recyclables.

XIII. SOLID WASTE CONTAINER REQUIREMENTS OR COMPLIANCE

XIII.01 *Container Construction*

All solid waste containers shall be constructed resistant to rodent, insect and vermin entry. Materials used shall be rust and impact resistant. The containers shall be equipped with tight fitting covers that shield the container from the entrance of precipitation, rodents, insects, and vermin.

- a. All solid waste accumulated in manually serviced containers on any premises shall be placed and maintained in containers or plastic bags. Such containers shall be maintained in a good, clean, neat and sanitary condition at all times. The containers shall be equipped with handles and tight fitting covers. The containers shall have a maximum capacity of forty-five (45) gallons and containers and contents should not weigh more than sixty-

five (65) pounds. solid waste shall be picked up at each residence once (1) each week in an runotint not to exceed three (3) thirty (30) gallon size containers or six (6) twenty (20) gallon bags. No solid waste shall be placed in the Nobles County Recycling containers.

- b. Mechanically serviced containers designed, equipped, and located to be emptied or carried by mechanical means suitable for a commercial hauler may be used with permission of the hauler.
- c. Refuse Bins having an internal volume of one (1) cubic yard or greater shall be constructed or retrofitted to meet American National Institute (ANSI) standard (Z 245.3-1077) for the stability of Refuse Bins.

XIII.02 *Yard Waste Plastic Bags Prohibited*

Plastic bags of any type are prohibited from mixing with Yard Waste at Solid Waste Disposal Facilities or Composting Facilities.

XIII.03 *Container Maintenance*

Solid Waste Containers shall be maintained and kept in a neat, clean, sanitary, and leak-resistant condition by the container's owners to prevent insect breeding, nuisances, and unsightly conditions. Containers shall be maintained in good .. repair by the property holder or by the commercial hauler, when supplied by him.

XIII.04 *Container Compliance*

Any commercial. hauler finding solid waste containers in use that appear not to be in compliance with this ordinance shall report the container's location to the Office of Resource Conservation and Development. •

- a. Investigations. The Office of Resource conservation and Development shall investigate complaints about solid waste containers and if the container is found not in compliance a notice shall be attached to the container as provided in this section. If the Office of Resource conservation and Development does not investigate the complaint it shall mail to the container's owner a notice that a complaint was received regarding the container. The notice shall describe this ordinance's requirements for a solid waste container. The owner shall report his actions to the

Nobles county Solid Waste
Management Ordinance

Office of Resource Conservation and Development within ten (10) days of the notice date regarding the correction he or she has made. If the owner does not make this report to the Office of Resource conservation and Development within ten (10) days, the Office of Resource conservation and Development shall proceed with an investigation. If the container is found to be in violation of this ordinance, a notice shall be attached to the container stating subsequently as follows:

NOTICE: This solid waste container does not comply with Nobles County Solid waste ordinance and this container shall be removed by the owner within ten (10) calendar days. The licensed commercial hauler collecting solid waste from this property is hereby ordered by Nobles County Resource Conservation and Development Office not to empty this container.

SIGNED BY: _____ on behalf of the Nobles County Office of Resource Conservation and Development.

DATE OF NOTICE: _____

WARNING: This notice shall not be removed except by action of the Office of Resource Conservation and Development.

- b. Notice. The notice attached to the container shall not be removed except by action of the Office of Resource-Conservation and Development. The owner may cause the entire container and its contents to be removed as solid waste.
- c. Costs. Any public costs associated with investigation and removal of the container may be charged as a fee to the owner of the container or as an assessment against the property as provided by law.

XIV. COLLECTION AND TRANSPORTATION OF SOLID WASTE

XIV.01 *Unauthorized Transfer of Solid waste*

Except as permitted by this ordinance, Solid Waste shall not be transferred to another property or another property's waste storage facility or container except with the written consent of the property owner. A consent form for such transfers shall be provided upon request to property owners by the Office of Resource Conservation and Development.

XIV.02 *Collection Responsibilities*

Unless otherwise provided in this ordinance, the owner, the lessee and occupant of any premises, business establishment or industry is responsible, by contract or otherwise, for the collection and transportation of solid waste from the premises, establishment or industry, and shall collect and remove all solid waste accumulated at the premise, business establishment or industry and transport it to an operation for which a permit or license has been issued by the Agency and Nobles county. owner, lessees or occupants who legally and properly dispose of solid waste on their premises according to State statute and/or Agency rules and are otherwise in compliance with this ordinance are exempt from this provision.

XIV.03 *Spillage of Solid Waste*

Vehicles or containers shall be loaded and moved in such a manner that the contents will not fall, leak, or spill therefrom, and shall be covered or secured to prevent loss of material. When spillage does occur, the material shall be picked up immediately by the solid waste collector or transporter and returned to the vehicle or container and the area properly cleaned. When the material cannot be immediately picked up or the area cleaned the Solid Waste Officer shall be notified. The collection and transportation of solid waste shall be performed in accordance with State rules administered by the agency and the county.

XIV. 04 *Hazardous Waste Collection or Transportation*

Vehicles or containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed, and leak proof in a safe, sanitary and nuisance-free manner. Vehicles shall be properly marked and labeled and be accompanied with a proper shipping manifest, as required by federal and state regulations and statutes.

XIV. as *Indemnification*

The solid waste collection service will indemnify, defend and save harmless the county Board, their agents, elected officials and employees from all claims, damages, losses, liabilities, costs, expenses and lawsuits whatsoever arising out of any act or omission on the part of the hauler or its contractors, agents, servants, or employees in the performance of or in relation to any of the work or services to be performed or furnished by the hauler under the terms of this ordinance.

XIV.06

Mandatory Solid Waste Collection or Recyclable Materials, State Statute 115A.94-115A.941

- a. Municipal Collection or Service Areas: By June 1, 1993, all corporate municipalities in Nobles County shall pass an ordinance requiring each residential unit and all commercial businesses to have solid waste collection and recyclable separation for either collection or drop-off.
- b. Rural Service Areas: As of June 1, 1993, each residential unit and all commercial businesses in all rural designated service areas within Nobles County are required to have recyclable separation for either collection or drop-off as provided by the County. The County Board through resolution may form or alter service areas.
- c. Mandatory Public Facility Recycling (Statute 115A.151): Any local unit of government, school district, or state agency in Nobles County shall ensure that facilities under its control from which mixed municipal solid waste is collected have containers for at least three of the following recyclable materials: paper, glass, plastic, and metal; and transfer all recyclable materials collected to a recycler.

XIV.07

Residential Recycling

It shall be unlawful for any owner or occupant of a residential or multi-unit residential building within Nobles county Municipality or service areas to generate and deposit for collection mixed municipal solid waste which contains any of the following recyclable materials:

- a) Aluminum cans
- b) Bi-metal food cans
- c) Glass bottles and jars
- d) Plastic Bottles and jugs
- e) Newspaper
- f) Office paper
- g) Corrugated cardboard boxes
- h) Such other material which may be designated by the County Board unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

XIV.08

Recyclables Identification

The County Board shall, by Resolution, identify the specific types of recyclable materials prohibited from Mixed Municipal Solid waste according to current market requirements.

XIV,09 *Commercial Recycling*

It shall be unlawful for any owner or occupant of a commercial building within a Nobles County municipality or service area to generate or deposit for collection mixed municipal solid waste which contains any of the recyclable material listed in Subdivision 7 and specifically identified by County Resolution pursuant to Subdivision 8 of this Section.

XIV.10 *Anti-Scavenging Provision*

Ownership of designated recyclable materials set out for collection or placed in County Recycling sheds or drop-off sites shall be vested in the contractor, hauler, collector or transporter of recyclable materials recognized by the 'Nobles County Board of Commissioners.

XIV.11 *Anti-Recyclable Disposal*

All recyclable materials collected as part of a recycling collection program shall not be deposited in a manner which precludes its reuse, as defined in the recycling definition in MN statute 115.03 subdivision 25a and 25b.

XIV.12 *Haulers.*

A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste **within** a Nobles county municipality or service area which contains:

- a) Any of the recyclable materials specifically identified by county Resolution pursuant to Subdivision 7 of this Section;
- b) Any of the special regulated materials indicated as prohibited from MMSW in Section XVI of this ordinance.

XIV, 13 *Non-Profit Recycling Permits*

civic or non-profit organizations, school groups, service clubs or others who collect recyclable materials to support their organization or to provide a community service will not be required to obtain a license or permit, except ~~as~~ required by

the Agency. All submittals, as required by an Agency license or permit, shall also be submitted to the Resource Conservation and Development Office.

XIV.14 *Recycling Collection Quantity Reporting Requirements*

All civic or non-profit organizations, school groups, service clubs, commercial or industrial establishments or others who collect and dispose of recyclable material shall to the extent possible, submit a report to the Office of Resource Conservation and Development of the type and quantity of material collected. This report should be submitted within 30 days of disposal of the recycled materials.

XV. **ON-SITE** DISPOSAL OF SOLID WASTE

Rural on-Site Disposal

xv.01 *Farm Households*

A person who owns or operates land used for farming may bury, or burn and bury, solid waste generated from a person's household located on the farm land or as part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on the land used for farming from which it was generated.

xv.02 *Exclusion*

Subdivision xv.01 does not apply if:

- a. Regularly scheduled pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the County Board of Commissioners.
- b. To the following materials from land disposal:
 1. Waste Tires (Refer to Subdivision XVI)
 2. Waste Appliance (Refer to Subdivision XVI.10)
 3. Waste Oil (Refer to Subdivision XVI.11)
 4. Household Hazardous Waste (Refer to Subdivision XVI.17)
 5. Lead Acid Batteries (Refer to Subdivision XVI.13.)
 6. Other materials as identified by Minnesota Statute and Rules.

Open Burning of Waste

- a. Any burning of waste at a site shall be prohibited except as allowed by Agency rules, Minnesota statute 17.135, and any local ordinance, if applicable.

XVI. OPEN DUMPING OR LITTERING

XVI.C1 *Violation*

It shall be a violation of this ordinance for any person to dispose of Solid Waste within Nobles County at any place except in the manner permitted by this ordinance.

XVI.02 *Open Dumping Prohibition*

It shall be a violation of this ordinance for any person to operate an open dump; and, the owner of any dump in existence at the time this ordinance is enacted shall cease operations and close the dump in accordance with the following provisions. The owner shall:

- a. close access to the site and prohibit the public from using the site. Signs indicating that dumping is not allowed shall be posted.
- b. stop burning, if present; and remove all chemical containers.
- c. Eradicate rodents
- d. At the discretion of the county Board, the owner shall conduct a water monitoring program pursuant to: "Procedures for Ground water Monitoring: Minnesota Pollution Control Agency Guidelines: and take measures to protect ground and surface water. Plans to protect the ground and surface water shall be approved by the Resource Conservation and Development Office prior to implementation.
- e. Divert surface water drainage around and away from the disposal area.
- f. Compact the solid waste and cover it with at least two (2) feet of compacted cover material.
- g. Seed the cover material so that adequate turf is present.

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Nobles County Solid Waste Management Ordinance

- h. Establish and maintain a final grade sufficient to promote water runoff, without excessive erosion.
- i. The owner of the property on which a dump is located shall place on record at the office of the Nobles County Recorder an instrument, in a form prescribed by the Resource conservation and Development Office, placing the public on notice of the existence and location of the dump and of the obligations placed upon parties holding an interest in the property and the restrictions which may affect the use of the property.

OR;

- (1) Remove all solid waste on the site which may cause pollution or endanger human health and the environment and transport it to an appropriate state or county licensed solid waste facility.
- (2) Close the Open Dump in accordance with the provisions of this ordinance and State Rules.

.XVI.03 *Litter*

Pursuant to Minnesota Statute 115A.99 any person who unlawfully places any portion of solid waste in or on public or private lands, shorelands, roadways, or waters is subject to a civil penalty of not less than twice nor more than five times the amount of cost incurred by a state or political subdivision to remove, process, and dispose of the waste.

XVI.04 *Legal Action*

Any cost that Nobles County may incur as described in this section may result in action to recover the civil penalty, related legal, administrative, and court costs, and damages for injury to or pollution of the lands, shorelands, roadways, or waters where the waste was placed if owned or managed by Nobles County.

XVI. OS *Litter Identification*

A person, corporation, partnership or entity shall be presumed to have deposited or placed solid waste in or on public lands, shore lands, roadways or waters if said solid waste can be identified by name, addresses, correspondence or other similar material and information as belonging to or having been generated by said person, corporation, partnership or entity.

XVII. COLLECTION, STORAGE AND DISPOSAL OF REGULATED SPECIAL WASTESWaste TiresXVII. C1 *State Rules*

Chapters 7001 and 9220 of the Minnesota Waste Tire Permitting Rules are hereby incorporated by reference, as amended.

XVII.02 *Land Disposal Prohibited*

The disposal of waste tires by burying in land is prohibited (Minn. Stat. 115A.904).

XVII.03 *MMSW Prohibition*

The disposal of waste tires in mixed municipal solid waste is prohibited.

XVII.04 *Open Burning of Waste Tires*

The burning of waste tires in open burning is prohibited.

XVII.05 *Residential storage Limits*

No more than ten (10) waste tires may be stored within the boundaries of any residential lot.

XVII.06 *Non-Residential Storage Limits*

No more than one hundred (100) waste tires may be stored on any non-residential lot except at a properly licensed solid waste facility.

XVII.07 *Exceptions*

Exceptions to subsections 4 and 5 may be allowed when waste tires are utilized outside of a building for decorative, recreational, structural, construction or agricultural purposes provided they comply with the requirements of other applicable laws or sections of this ordinance.

XVII.08 *Waste Tire Placement*

waste tires shall not be placed, stored, left, or permitted to remain in a lake, stream, wetland, sinkhole, gully, waterway, flood plain or shoreland.

XVII.09 *Violation*

The owner of the land or premises upon which waste tires are located in violation of this ordinance shall be obligated to remove them to a licensed solid waste facility, or obtain the license required by this ordinance within one year of the effective date of this ordinance, or such later date as approved by the County Board.

White GoodsXVII.10 *White Goods Prohibitions*

Pursuant to Minn. Stat. 115A.9561, no person shall place a major appliance in mixed municipal solid waste, or dispose of them in a solid waste processing or disposal facility.

No person shall dispose of white goods or major appliances at a solid waste processing facility or disposal facility. No person may accept white goods or major appliances for recycling purposes without designation, by resolution of the Nobles County Board, as a white good recycling drop site or acquire and maintain appropriate licenses and/or permits from the MPCA and U.S. EPA.

No owner, lessee, and occupant of any single or multi-family dwelling, business establishment, industry, in addition to appropriate MN Statutes and Rules for solid waste storage, may .. store more than five (5) white goods or major appliances in the open (on the outside) without written permission by the Office of Resource Conservation and Development or have a designation of a white good or major appliance drop-off site.

The county Board by resolution, may establish disposal fees for white good drop sites.

Used OilXVII.11 *Used Oil Prohibition*

A person may not place used crankcase oil in mixed municipal solid waste or place used oil in or on the land, unless approved by the Agency (Minn. Stat. 115A.916).

Yard WasteXVII.12 *Yard Wastes Prohibition*

Yard wastes including, but not limited to non-woody garden waste, lawn cuttings, weed, or prunings shall not be disposed of in municipal solid waste in a land disposal facility or in a resource recovery facility except for the purpose of composting or co-composting as per MPCA Rules 7035.2835, subd. 3, as amended (Minn. stat. 115A.931).

Batteries

XVII.13 *Lead Acid Batteries*

A person may not dispose of a lead acid battery in mixed municipal solid waste or dispose of a lead acid battery (Minn. Stat. 115A.915).

XVII.14 *Transportation of Lead Acid Batteries*

A person who transports used lead acid batteries from a retailer must deliver the batteries to a recycling facility (Minn. stat. 115A.9152 subd. a).

XVII.15 *Prohibition of certain Dry Cell Batteries*

A person may not place in mixed municipal solid waste a dry cell containing mercuric oxide electrode, silver oxide electrode, nickel-cadmium, or sealed lead acid that was purchased for use or used by a governmental agency, or an industrial, communications or medical facility (Minn. Stat. 115A.9155 subd. 1).

XVII.16 *Prohibition of Nickel-Cadmium Batteries*

A person may not place in mixed municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a nonremovable rechargeable battery pack, or a product powered by rechargeable batteries or rechargeable battery pack, from which all batteries or battery packs have not been removed (Minn. stat. 115.9157 subd. 2).

Household Hazardous Waste

XVII.17 *Household Hazardous Waste*

A person may not place in mixed municipal solid waste any household hazardous waste.

Solid Waste From street Cleanings, Storm Sewers, and Drainage Systems

XVII.18 *Street Cleanings, Storm Sewers, and Drainage Systems*

Solid waste materials collected from snow removal, street cleaning, drainage basins or systems that remove sediments from storm sewer discharges shall be taken to an appropriately licensed Solid Waste Facility. Soils, grits and other inert granular materials recycled or re-used as allowed in a plan approved by the Health Department are exempt from being taken to a licensed Solid Waste Facility.

Manures

XVII.19 *Manures*

The owner shall cause Animal Manures to be removed or incorporated into the soil in a manner consistent with measures to protect the environment, recommendations of the Soil Conservation Service, state laws, and any other county ordinances.

When animal manures are properly stored in agricultural areas and managed for utilization as a fertilizer or for energy recovery in ways that will protect the Waters of the state from pollution and in accordance to county ordinances, they shall not be solid waste.

Animal manures shall be solid waste when they are accumulated, stored or spread on the ground surface in any area that pollutes the Waters of the State, or within two hundred (200) feet of a residence located on a neighboring property.

Motor Vehicles and Agricultural Implements as Solid Waste

XVII.20 *Motor Vehicles or Agricultural Implements*

Motor vehicles or agricultural implements shall be Solid Waste when they are either not operable or not equipped with a current license tag and are one or more of the following:

- a. container for other solid waste or
- b. abandoned or
- c. stored or disposed outside of a building unless they are collectable, restorable or repairable as permitted by this ordinance

Unacceptable Waste**XVII.21** Unacceptable Waste

A Solid Waste Facility rejecting waste as "unacceptable waste" shall provide a written list of the nearest suitable facilities where that waste can be disposed or received from the public. such waste shall be transported only to Solid Waste or Hazardous Waste Facilities operating with appropriate license for disposal, treatment, conversion, or recycling. The list shall include those facilities identified on a printed public informational form prepared and updated annually by the Resource Conservation and Development Office.

XVII.22 The Nobles county Board will by resolution ban additional materials as dictated by State statutes and Regulations.

XVIII. ENFORCEMENT**XVIII.01** Existing Solid Waste Facilities, Operations and Activities

Solid Waste Facilities, operations and activities in existence at the time of the enactment of this ordinance, shall conform, to the provisions of this ordinance no later than 180 days after the adoption of the ordinance, or terminate operations no later than that date, unless the County Board grants a variance for good cause shown under this section to continue operations. A request for this kind of variance shall be accompanied by a plan and time schedule for compliance with the provisions of this ordinance.

XVIII.02 Authority

The Solid Waste Administrator or such other person(s) as the county Board may designate by resolution or otherwise, shall enforce the provisions of this ordinance.

XVIII.03 complaint or Investigation

All complaints as to alleged violation of this ordinance shall be filed in the Resource conservation and Development Office which shall maintain a record thereof. The Solid Waste Administrator shall be responsible for the investigation of complaints and for initiating investigations upon "good cause" to believe a violation is occurring. Investigation shall be conducted in the following manner, to wit:

a. In all cases in which the alleged violation poses an

Nobles County Solid Waste
Management Ordinance

immediate or imminent danger to public health, safety or welfare, the Solid Waste Administrator shall immediately investigate the complaint.

- b. In all other cases the Solid Waste Administrator shall investigate only after attempting to contact and give notice to the township or city within which the alleged violation is located. The township or city may elect to accompany the Solid Waste Administrator in the investigation.
- c. Upon completion of the investigation a report of the findings shall be made and filed in the Office of Resource conservation and Development.
- d. If at any time any person, corporation, partnership or other entity shall refuse to allow the Solid Waste Administrator access to inspect and investigate to determine compliance with this ordinance, the Solid Waste Administrator shall have the right to obtain a search warrant to gain access for purposes of such inspection.

❖ XVIII.04 *Violation* Procedure

Whenever it is found that a violation of this ordinance has occurred, the Solid-Waste Officer shall invite the alleged violator or an authorized representative of said violator to meet and consult with the Nobles County Solid Waste Advisory Committee. If after service of notice, the person, corporation, partnership or other entity fails to terminate the illegal practices and to come into compliance with the terms of ordinance, the Solid Waste Officer shall:

- a. Issue a "Notice to Abate" to the person, corporation, partnership, or entity found to be in violation or non-compliance and specify such action as necessary to come into compliance with the provisions of this ordinance. Said notice shall be in writing and shall be served by mail on said violator, or if a mailing address is unknown, then by posting said notice on the premises.
- b. The Solid Waste Administrator may issue a citation for violation of this ordinance at the time that the original "Notice to Abate" is served, or anytime thereafter, until said notice has been fully complied with. The citation shall specify a fine according to a schedule of fines adopted by the County Board.

XVIII. OS *Failure to Terminate Illegal Practices*

If after service of notice, the person, corporation, partnership or other entity fails to terminate the illegal practices and to come into compliance with the terms of ordinance, the Resource conservation and Development Office may take such steps as are necessary to eliminate the non-compliance and to bring the activity or practice into compliance for the term of this ordinance. After consultation with the county Board, at which meeting the violator shall also be invited to, the Resource Conservation and Development Office may either:

- a. Impose a daily assessment for each day that the noncompliance continues in an amount of \$50.00 per day provided that written notice of the intention to levy said assessment and the commencement date thereof shall be given in the same manner as provided for in XVII.04 (a) of this Article, or
- b. Arrange for the entry upon the property to terminate the noncompliance and bring the activity or practice into compliance, provided all costs incurred by such remedial and enforcement action may be recovered by assessing the cost against the real property upon which the illegal practice or activity has occurred. The Solid Waste Officer shall certify said amount to the County Auditor.

XIX. SEIL.VJ:CE CHARGE

XIX.01 *Purpose and Authority*

Pursuant to Minnesota Statute 400.08, Nobles County has the authority to impose reasonable charges for a service fee to cover the cost of solid waste management, including financial assurance, capping, and construction of monitoring wells at the Nobles County Sanitary Landfill. The County Board shall, by Resolution, may establish or revise the rate, fee, billing and collection method of the service charge.

XX. PENALTJ:ES

xx.01 *Interference with Solid Waste Administrator*

Any person who shall prevent, molest, resist, or interfere with the Solid Waste Administrator in the discharge of his or her duties shall be guilty of a misdemeanor.

xx.02 *Violation of Ordinance Provisions*

Any person who shall violate any provision of this ordinance or who shall fail to comply with any order made under the provisions of this ordinance shall be guilty of a misdemeanor.

XXI. CIVIL ACTION OR COST AS SPECIAL TAX

If a person fails to comply with the provisions of this ordinance, the County may recover costs incurred for corrective action in a civil action in any court of competent jurisdiction or, at the discretion of the Department, the costs may be certified to the County Auditor as a special tax against the real property.

XXII. APPEALS

The Board of Commissioners of Nobles County shall act as a Board of Appeals. Any person wishing to appeal any action taken by the County pursuant to this Ordinance may request a hearing. The appeal must be received by the County within thirty (30) calendar days, exclusive of the day of receipt of notice, after the person received notice of the action taken by the County. The request shall be in writing stating the grounds of the appeal. If a person fails to submit an appeal within the required time period, the person shall forfeit any opportunity for a hearing. The County shall schedule a hearing within thirty (30) calendar days of receipt of the notice of appeal, and shall send to the appellant by mail notice of the hearing date, time and location. If the appellant or his or her authorized representative fails to attend the hearing, the appellant shall forfeit any right to a hearing. The Resource Conservation and Development Office shall send to the appellant by mail notice of the decision within ten (10) days after the close of the hearing.

XXIII. **VARIANCES**

Upon written application by the applicant, owner or operator, the County Board may grant variances from the requirements of the regulations and standards prescribed by this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance.

XXIV. **SEVERABILITY**

The provisions of this ordinance are severable. Should any action, paragraph, sentence, clause, phrase, or portion of the regulation be declared invalid for any reason, the remainder of this regulation shall not be affected.

XXV. **REPEALER**

Nobles-County Solid Waste Ordinance No. 198471 is hereby repealed.

XXVI. **EFFECTIVE DATE**

This regulation shall be in full force and effective upon adoption and publication pursuant to law.

Passed and Adopted by the Nobles County Board of Commissioners

this 45 day of April, 1993.

 /22 chairman, Nobles County Board of Commissioners

ATTEST:

Ken Roberts
Ken Roberts, Nobles County Auditor

Nobles County Minn. }
Office of County Recorder

SS

I hereby certify that the within Instrument was
filed in this office for record on this
date of April 22,
A.C., 1993 at Pineville, North Carolina
and duly recorded on Microfilm
He. 2304

 COUNTY RECORDER

APPENDIXD

AGREEMENT FOR RECYCLING

THIS AGREEMENT made and entered into this **1st** day of **January, 1995**, between the County of Nobles, a political subdivision of the State of Minnesota, hereinafter referred to as County, and Schaap Sanitation, Inc., a Minnesota corporation, hereinafter referred to as Schaap;

a. The County wishes to promote, implement, and initiate, a program for recycling of recyclable materials. The purpose of this program is to reduce the amount of waste that is being disposed of in the sanitary landfill servicing Nobles County.

b. The Nobles County Board of commissioners believes it is in the public interest to continue a countywide recycling program.

c. Schaap is engaged in the business of solid waste collection and disposal.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the parties do hereby agree as follows;

1. Schaap shall provide regular scheduled pickups of recyclable material in all of the communities and townships of Nobles County for their rural, residential, and business recycling programs.

2. Schaap shall furnish the building where the recyclable material can be stored, sorted, and processed. Schaap shall also furnish an area at said building and other Drop Offs where residents may drop off recyclable material. The County also hereby certifies that the building where the recyclable material is processed is the official County redemption center for recyclable material. Recyclable materials are those listed in section 11 of the contract.

3. Schaap shall abide by all state and local regulations regarding exterior storage and screening of said recyclable material at said building or buildings.

4. Schaap shall provide adequate publicity of at least three times per year in the county's official paper for all of Nobles County recycling programs as to the time and location of the pickups and also the times when residents can drop off recyclable material at the drop-off facilities in paragraph 2 above.

5. Schaap shall provide general liability and auto. liability insurance in the amount of not less than \$600,000.00. Schaap shall also provide Workers Compensation coverage as required by law.

6. Schaap shall be considered as an independent contractor for the purposes of this Agreement and not an employee of Nobles County.

7. Schaap shall not assign any interest in this Agreement without first getting written permission from the Nobles County Board of Commissioners.

8. The household and business recycling containers will be available through the County, and Schaap shall have no obligation to pay for said containers.

9. In the event that Schaap fails to perform the conditions under this Agreement, this Agreement may be terminated, at the County's sole discretion, by giving Schaap a notice of the County's intention to terminate said Agreement within 90 days of the date of said Notice.

10. Recyclable material does not include any hazardous waste or otherwise recyclable materials which are impregnated with or polluted with any hazardous waste. Recyclable material also does not include automobiles, automobile parts, tires, or window glass.

11. Recyclable material which qualify for County subsidy under this contract include:

- a. newspaper and corrugated boxes and office paper
- b. plastic bottles and containers
- c. glass bottles and jars
- d. bi-metal tin containers
- e. magazines
- f. and any other item designated as a Recyclable Item by Resolution passed by County Board and agreed upon by Schaap.

12. This contract shall run for twelve months, from January 1, 1995, to December 31, 1995.

Terms of Payment:

13. Schaap shall maintain sufficient records on the quantities collected from each of the Residential, Business, and Rural Recycling Programs to allow the County Representative to verify compliance with the terms and conditions of this Agreement. Schaap shall weigh each load of recyclables collected in Nobles County at a certified public scale. The weigh tickets and the appropriate form {Appendix A} shall be used in reporting collected tonnage and submitted to the county on a monthly basis. Schaap shall also provide records on each item of recyclables sold.

14. Schaap shall meet and maintain the state mandated recycling goal of recycling at least 25% of all trash collected
-----c_e_m-er Y1---;r99-s,---ur-a-year'.1:y-mi-n-imum-of---2'7-0'0--tons. -----

15. The county shall pay to Schaap on a monthly basis at the rate of \$47.00 per ton for a yearly minimum of 2700 tons of recyclables that is removed from the Nobles County Solid Waste stream. Any amount above 2700 tons will be paid at the rate of \$50.00 per ton. Schaap shall not be paid for any aluminum that is picked up. This subsidy shall apply only to that recyclable material which is listed in Section 11 and are generated within Nobles County.

Schaap Sanitation, Inc.

By _____

Nobles County

By _____

By _____

STATE OF MINNESOTA

COUNTY OF NOBLES

On this ____ day of _____, 19____, before me,
_____, a notary public within and for
said County and State, personally appeared _____

to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed,

APPENDIXE

.....


Melvin J. Ruppert, County Administrator
Nobles County, Minnesota

DRAFT



Princeton, Conn

Sold Waste Management Corporation

TABLE OF CONTENTS

I- Title _____

- 1

II.- Principles of Management

- 1-

S"1.1btl- 12. Filn.a.ln.c'ia.l Ass-u.:ra.ln.ce. _____ 13

S--u.btl _ 13 Fe.e.s - - - - - _ - - - _ 13

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S-u.bd.	5	N<>=-Res::i..de=t:i..a..l Ste>:ra.ge L::i..m:i..ts	21
S-u.bt1	6	Ex:cept::I<>=s	21
SULbd	7	Wa.st:e T::L:re Pla.ceme=t	22
SULb<1-	B	V::i..e>la.t:::i..<>=	22

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PIPESTONE COUNTY

SOLID WASTE MANAGEMENT ORDINANCE

The County Board of Commissioners of Pipestone County, Minnesota,
does hereby enact:

— e.xt.e.r.it: spe.c.i.:E.i...=ed a..bc.rv-e, _ Wh.Ee.re. th= ce>l:1.d.i.i.t.i.or.i.s ::i..ln.pose.d. by a.r.i.y pro-v-i:s.i...oris o:E t.b.i.s Ord.i:n_a.rice. a..re. e.i.th.e.r more, :re.str.i.ct.i..v-e. t.h.a.l:1 c.e>mpa...ra.bl.e. co.rid...i.t...i.011:1:s i..ln.pc;s,etl by a..ri.y oth.e.r pro-v-i:s.i.e>ri o:E t.h.i.s Ord.i:ri.a...n_ce. or a..ri.y oth.e.r a.pp::Li.ca.b::Le. l.a...,.,, o.rtl.i:ri.a.rice, m:l...e, a..rid :re.gu.l.a.t.i.e>ll, the pro-v-i:s.i.e>ri 'wh:i.c.h e.st.a.b::Li.sh.e.d. the h.i.ghe.r- :st:c:n3.d.a.r.d:s :Ee>r the, pre>mot:i.e>ri a..rid p:ro.tect:i..ori. of the p-u.b::Li.c. he.a.l.th, :sa...Ee.ty a..rid ge.r.i.e..ra..1 --e.1:Ea...re. sha.11 pre-v-a...i..l._

S-u.b<l- 9

"Deell.c::L::it ::i::o:n. Wa_st e," ::i::s de, :E::i::rie:tl a_s ma_t e,r::i:a_1 :a.or-ma_1 ly fo-u:n.d. ::i::n. b-u::L1d::i::n:gs to be, demo1:i..she,d,. s-u.ch a_s,. b-u.t :n.ot 1:un::i::te,<l to, b:r::i::cks, sto:n.e, fa_c::i::n:g,. co:n.c:re,te,. ce,me10.t b1ocks, st-u.cc<>,. p1.a_ste,r,-. -,,-a_11 boa_:rcl.s,. g1a_ss p:i::i::pe,. ♦:i::re,,. meta_1,. p1ast:i::c,. a_nd a_n.y ::i::n.e,rt ma_te:r::i:a_1s a.s ma.y be, a.pp:rc:-v-e,<l by the solid,a_ste, -. Off::i::cee:r-

S"l-l-b<l_ :L0 ""Sc,l:i::d Wa_ste, Office."" :i::s the. Pip. e.st: o:n.e. Cc:-u:n.ty S<>::L:i::d. Wa_ste, Off::i::ce,-

S-u.b<l- 18

•op<=ri. B-u.rn::i...ri.g• is b-u.rn::i.10..g a.lly ID.c1t:t:er- ,;v.h.er-eb y the. r-e-s-ult:a::n:t ce>ID.b-u.st::i.e>ri. pr-e>t'l'l:l.ct:s a:r-e em::i::tt:etl d::i::r-ect:Ly t:e> e>peri. a.t=ID.osphe:r-e ,;v::i::th.e>-u.t: pa:s:s:i_ri.g t:h:r-o-u.gh a.ri. a.<leq-u.a:t:e st.a.ck,. d-u.ct e>r- chillll"1ey_

S-u.bd_ 19

•Operi. D-Ln::np• i_s a. l.a.-r1<l t:l::i.sp e>:sa.1.. s::i::t: e a.t ,;v::i::ch s e>1...i_d. ,;v.a.st:e ::i::s d::i::spe>sed. o:E i::ri a. ID.a.-r1ll.e:r- t:h.a:t: does -r1ot p:r-e>tect t:h.e t=ri.-v-::i::r-ornn.erit:, ::i::s s-u.sct=pt::i::ble to ope10.. b-u.rn::i.1lg a_r1.tl ::i::s ex:posed. to t:h.e el.ernel:1.t:s, ::i::ri.sect:s, r-e>d:t=l:l.ts a:l:1.d. sca -v-eri.ge:r-s

S-u.bd.- 28 "s:i...tee e>r- Fa.c::i...l:i...ty" i::s dee:f'i:r:le:tl a:s a::ll r-ee::l e>u:- pe-r:se>ll.a.l..
pr-e>pee-rt'y <:i..ch i::s e>u:- ma.y bee -u::seetl :for- the. -u.t:i..l:i..=a.t:i..C>rL,
p-re>c.e:s:i..rlq, e>r f::i...r.la::l <l:i...:spo:sa.l.. <>f :sol:i..<l <:stee a.r.l_d _-h:i..c.h
-re.q-u::i...-re:s a. l:i..c.e.r.l:se. :Fo-r tli::spo:sa.l theer-e:i..r.l rmtle.r- thee
pr-o-v::i...:s:i..or.l o::f thi:s or-d:i..r.la.r.lc.e._

S-u.bd._ 29 "so::l:i..d Wa::ste." i::s tle.f:i..=etl a:s ga:r'ba.ge, -ree::Et'i.:se., de.Tl:J.ol:i..t::lor.L
.....-a:ste., :s::l-u.d.ge. :Er-om a. _-a tie-r :stt.pp::ly t:-re.a:t.me::c:it: p::la.r.lt o=
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:so:l...i..d <:ste. ma.te.r-i:a::l:s a:c:itl sl-u.tlge:s i::c:i. sol:i..tl, :se.m:i..-:so:l:i..tl,

S-u.bd.- 36 ..wa ste. T'i_r-e.. :ls tle.f'i YJletl .;as s< 1.:i tl ♦s te. viTh:i ch ce>ri:s:ls ts
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 is -u.se<l <YJL ,a ♦hicle. <= <the= e.q-u::lpm̄erit viThee.l to p=♦i de.
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 ::lrs <=:i g::LYJL;al p-ci:::-pose. beca "f.:lse ::lt :ls -u.se.tl,. d.a.nia_ge.tl,. <=
 tlefe.ct:i_♦.-

S-u.bd. 37 ..Wa te.= Pe>1::l-u.t::Le>I1♦ me.,aYJLs the. ce>Itan:i::Lr:l.a.t::i...<I1 e>E ,a l:ly viTa.te.r-s
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 wa.te.r-s a s -ur:icl ea.ra., ri:o:x::L<"t.:ls <= ::i...xn.p-u.r-e., s ♦ a:s to be.

V ADM:INISTRATION:

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by the P:i...pestor1.e Ce>UL:n.t:y Boa =d. oE Ce>Il1l1l:i...ss:i or1.==s a.
Sol:i...d. W.a.st= Ad:m...:i...rl:i...st=a.to= viThe> sh.a.1::1.. be =espor1:s:i...ble
fo= the achm:i...ri:i...st=at:i...or1. of th:i...s o=d:i...rl.a.rl.ce

S-u.bd. 2. D-ut::i...e.s Thee Sol:i...<l W.a.ste Achb:n...:Lr1.:Lst:ra.to:r sh.a.11 h.a.'7"e
.a.11 riecess.a.-=v .a-u.tho=i:ity to :i...moleme:i::lt a.rl.d. c.a.=v 011..1t

VI SOLID WASTE COLLECTOR REQUIREMENTS

S-ub<1 - i Sol:ii.d Waste H.a.--u.l:i..ri.g It shall be --u.ri.l.a. u.l :E0= a.ri.y Se>:Li...d Waste H.a--u.le= to h.a..il .solid -,,a ste or mate=:i...a.l.s :Eor- h:i...re ..:i...i... P:i...pestc:,r,e Cc-unity ,;r:i..tho--ut sec--u.r:i...n.g a pe=:i...t:: to de> so fr-om the Boar-d of Comm.:i..ss::i..c>rie=s-

S-u,b<1 _ 2 Sol:ii.d W.a..ste H.a.--u.l:i..ri.g Pern::i..ts The Ce>rity Boa.=d may i...n its d.is c.w.:set:i...n i... :iss-u.e. a pe=:i...t: :Eo::c- the h.at..il.:Lrig of sol:i...cl "l-'aste,, fo= h::L:c-e, ori.L.y -u.pon compl-::i..a.r.l.c.se v-7/Lth the fa l lo,,,r:i...ri.g

S-..ib<l_ .3 Ce>mpJ.....a.ri...e - The, sc>1...d. -,...a.ste, h.a.ru.1e,r- a_rid. the, -v--e,h...c:...J. e,s
-u.se<l :i...ri c...o:J.....l...ec...t...i...rig a_rid tr-a.rispor-t:i...rig so:l...i. <l
so:l...i...d/-,...a.ste <les:i...gria_te,d. r-e,c...yc...l...a_b:l...e, -mate=:i...a_:l...s "Ni...th:i. ri
P::i...pe,stor1e Co-miry ID11.st c...omp:J...y ---i...th a.l.1 s-tate a_r1<l :J....oc...a_:l..
1.a_.....s -

S-..ib<l_ 4 P...c...k-ru.p Sc:he.<l-:i:J...es The, So:J.....i...<l Waste Ha_"l.1:1...e= ID11.st spe,c...i. fy
the t:i...lne a_r1<l <la.y of co:J...:J...e,c...t...i...or1 that: the:i...= c...-ru.storner-s a_r-e,
to p...l.a.c...e the:i...= so:l...i...<l ---a.ste ot1.t o-i:i the:i...= pr-oper-t:v fo=

VIII RECYCLABLES CONTAINER... COLLECTION AND REPORTING **REQUIREMENTS**

Sub-1- 1 Reusable Containers Requirements The reusable container may specify the type of container the resource must place the recyclables in. The container must be provided by the recyclable collector or alternatively be available to a client at the time the object is created. provision becomes effective.

Sub-2 Recyclables Provision The Recyclable Collector

meet a.11 =eq-u.:l=emerits e>f State r-u.:Les a.riid sta-t-u.tes 1:i.sted
b.0t" (m):

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Cha.pt.:e:r 7035-

2_ Ope.r.a.t.:le>ri e>f MSW Ir.l.c:L.n.e=a_t.o:r Fa_c.i.l.i.t.i.e.s :t-'l.i.m.l_ R-u.:Les
Cha.p.te:r 7005 a.riid 7035_

3_ Oper-a.t:i.e>ri of Compost:i:n.g a.riid Co-Compost:i.rig Fa.c.:l.l.i.t.i.e.s
M.:Lriri_ R-u.l.es Cha.pt.:e:r 7035-

S-u.b<|_ .6 Collser:1.t:: of Go-v-ern::i...r:1.g Body Thee appl:....i...ca:l:lt:: must s-u.bm:i...t::
t:o t:he Sol:i...<l Waste 0££:i...ce. ♦:i...t::t:er:1. p:r-oof t:hat:: the lrrm1::i...c:i...p.a.l
or- t:o--=sh:i...p go-v-ern::i...llg **body** ::i...ll virh:i...ch sol:i...tl viT.a.st:re fac::i...l:i...t::i...es,
ope:r-a:t:i...o:lls e>r- a.ct::i...-v::i...t::i...ees a:r-e 1-oca:teed has COILS:i...de:r-ed the
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a.ct::i...-v::i...t::i...es viT:i...t::h r-respect t:o =<>L::i...llg a:r:ltl ot:he:r- appl:i...ca:ble
r-reg"t.la:t:i...o:lls a:r:ltl the pos:i...t::i...o:n., r-ece>DDD.elL<la:t:i...o:ll or- ot:he:r-
pos:i...t::i...o:n. of sa::i...d. go-v-ern::i...llg body to the p:r-o:posecl a.ct:i...-v::i...ty -

S"t..1bd.-7 S-u.bm:i...tta.1s To The State A11 s-u.bm:i...tta.ls to the State

County will provide of part of all of said bond, the license fee may provide evidence of financial assistance and a form acceptable to the County Board shall to be "License to bring the facility or activity into compliance with said requirements."

shall the Licensee Reimbursements The licensee shall furnish to the County certificates of disbursement by the Licensee

X_ SOLID WASTE STORAGE

S-u.b<l 1 Respor:l:s:i...b::i..l::i...ty The oorn.e=, lessee .a.n.<l occa.n.t of .a.n.y s::i.r:l.gle oz- =l t ::i..-E a.ID::i..ly d-,,,,-e.l l ::i...r:l.g,. b-u.s:i...ness esta.bl::i..shmer:l.t ,, :i..r:l.<l-u.st=y a.n.d. a.ll othe= p=em::i..ses, sh.a.ll be =espor:l:s:i...ble fo= the s.a.t::i..s:E.a.cto:ry sto=a.ge o'E aii se>l::i..d. -,,,,-.a.ste a.cctJD:n:lla.te<l .a.t the p:reom:i..se., b-u.s::i..r:l.ess esta.b::lisl:u:ne.r:l.t: o:r :i rld.-u.st:c-y No b-u::i..ld::i..r:l.g,. strnet:-u:c-e, .a.=e.a.,, o= p:re.m:i...se. sh.a.ll be con.strncte.<l o= m.a::i..r:l.ta::i..ne<l fo= occ-u.p.a.n.cy,, -u.se o= .a.ssernbly ---:i..tho-ut .a.d.ec-u.a.te • fa.c::i..l::i..t::i..es fo= s.a.r:l::i..ta.=v .a.rld. safe sto:ra ge,,

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t:ha t: eIn.ci=c1.es, .-at: .-a mi:n.:Lnn.:un,, the ce:n.te:r o:n.e-thi=<l (1/ 3)
of the co:n.t.-a:L:n.e.=) co:n.sist::e:n.t:: i t:h fe<le.=.-al .-aln.<l st.-ate.
=e.g.cila.t::io:n.s A::Ll. p=e."7"ioLLs iett::e:i:n.g .-aln.d. :n.-ua:nbe.=i:::n.g viT::i.1::L
be. obl..ite.=a:t::e<l f=om the co:n.t:a:i:n.e.= The co:n.t::-a:i:n.e.= viT::i ll be
TIU3Tke<l viT:t:h:i.10. the yel:LoViT ba:n.d, o= ot:he.= e.-as::i ly ide:n.t:::i f::i e.<l
a:r-e.-a, Llsi:n.g .-a pe.r-m.-a:n.e:n.t: m.-a=k.e.= .-as follo. The chem:i ca.l-
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(ANSI) St:a.ri.d.a.:rd. (Z 245-3-1077) ::Ec>:r the Sta.b:i.l:i.t:y c>:E
Ref'l:s:e B:i...ri:s: _

S-u bd. 2 Ya.:rd. Wa.:s:te P:L.a.:s:t::i...c Ba.gs: P:rc>h:i.b:r:i.t:-ed. P::La.:s:t::i.c. ha.gs:
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Sc>l:i..<l Wa.:s:te D:i.:s:pc>s:a.l Fa.c::i.l:i.t::i.e:s: c>r Cc>m.pc>s:t::i.rig Fa.c::i.l:i.t::i.e:s: _

S'-lb<l 3 Cc>rit:a.:i...rie:r Ma.:i.ri.t.eria.ri.c:e Sc>l:i..tl Wa.:s:te Cc>rit:a.:i.rie:r:s:
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a.ri.d. lea.k-re:s::i.:s:ta:rit c:c>ritl::i.t::i.c>ri. by the c:c>rit:a.:i.rie:r:s::s: c>vi7"D.e:r:s:

WARNING: This notice shall not be removed except by action of the Solid Waste Office,

b - Notice The, notice attached to the collection, shall not be removed except by action of the Solid Waste Office. The "7-11" Day case the entire collection area its contents to be removed, as solid waste

c. Cost: All public costs associated with

tl-u.=a.ble, exiclosetl, a.ri_tl lea.k p=oof i...ri. a. sa.fe, sa.xi:i...t==y
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ma.=k.etl a.xitl 1a.be1etl a.xid be. a.ccc:>mpa.xi:i...e<l ♦:i...t:h a_p=ope.=
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S-u.btl_ 5 lxid.enn:1:i...:E:i...ca t:i...oxi The so-1...i...d. -;,,,ra_ste cc:>ll.ect:i...ori. se=-v:i...ce
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115-03 s-u.b<l::i..-v::i..s::i..oIJ.. 25.a.. a=d 25b-

S-u.bd. 11 Ha.-u.le=s A ce>::llect::o= o= ha.-u.le= sha ll =e:E-u.se t::e>
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S-ub<|_ 4 Legal Act:1.011- All y c:c>st: that P:1.pestorie Ce>u:1:tty may
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Subd 8 Violations. The owner of the land or premises located within the city limits shall be obligated to remove them to a suitable solid waste facility, or obtain the license required by this ordinance. Within one year of the effective date of this ordinance, or such later date as approved by the County Board.

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S"L.1b<|_ 2)_

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TITLE V: PUBLIC WORKS

Chapter

50. SOLID WASTE MANAGEMENT

51. ENHANCED 911

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CHAPTER 50: SOLID WASTE MANAGEMENT

Section

General Provisions

- 50.01 Purpose and interpretation
- 50.02 Definitions
- 50.03 Responsibilities
- 50.04 Unlawful activities
- 50.05 Solid waste management facilities
- 50.06 Solid waste storage
- 50.07 Waste tires and unacceptable waste
- 50.08 Enforcement
- 50.09 Additional requirements
- 50.10 Provisions cumulative
- 50.11 Consent
- 50.12 Non-liability
- 50.13 Reporting

(A) The County Board of Commissioners has determined that this chapter should be adopted to protect the public's health and safety, and the environment and natural resources of the county, from improper management of solid waste, and to:

(1) Preserve and protect the air, land and water resources;

(2) Assure that all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future;

(3) Support activities that will promote use and reuse of materials in solid waste that would otherwise be disposed in ways that would not recapture the useful characteristics of its components;

(4) Augment, supplement and support state policies regarding solid waste management;

(5) Provide for an orderly implementation of solid waste management practices and services to ensure that residents have access to waste management services and to ensure that waste management services are consistent with county and state plans and policies; and

(6) Establishes standards and requirements for solid waste management operations within the unincorporated areas (and may require, at its discretion, in incorporated areas) of the county; requiring licenses for storage, collection, transportation, processing and disposal of solid waste in accordance with the county's Solid Waste Management Plan, and promotes the health, safety and welfare of the public pursuant to M.S. Ch. 115, 115A, 116, 375 and 400 and §§ 145A.04, 145A.08, 561.01 and 609.74, as they may be amended from time to

Licenses; Collection and Transportation

- 50.25 Standards for collection and transportation
- 50.26 Routes, districts and time
- 50.27 Permits and licenses for collection and transportation
- 50.28 Permits and licenses for solid waste facilities
- 50.29 County-operated facilities and programs; state rules

GENERAL PROVISIONS

§ 50.01 PURPOSE AND INTERPRETATION.

time.

(B) In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience and general welfare. Where the provisions of this chapter impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this chapter shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this chapter, the provisions of the statute, other ordinance or regulation shall be controlling.
(Ord. passed - -)

§ 50.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCEPTABLE WASTE. Those solid wastes that are not prohibited from processing or disposal as defined by a solid waste management facility pursuant to local, state and federal laws and the requirements of the facility.

AGENCY. The state's Pollution Control Agency, its Commissioner or representatives.

AGRICULTURAL SITE. Land zoned and/or operated for agricultural purposes, but excludes the residential site on the premises.

AIR CONTAMINANT. The presence in the outdoor atmosphere of any dust, fume, mist, smoke, vapor, gas or other gaseous fluid, or particulate substance differing in composition from or exceeding in concentration the natural components of the atmosphere.

AUTHORIZED REPRESENTATIVE. An employee or agent of the Redwood/Renville Regional Solid Waste Authority (RRRSWA) including the Solid Waste Administrator.

AUTO/MACHINERY HULK. Any material which is or may have been a motorized/operating vehicle or equipment, with or without all component parts, which is no longer self-propelled or capable of carrying persons/property/equipment or itself, upon a public highway and which its material is in such a condition that its highest or primary value is its sale or transfer as parts or scrap metal.

BALE or BALED MATERIAL. A large bundle or package prepared for shipping, storage or sale, especially one tightly compressed and secured by wires, hoops, cords or the like, and sometimes having a wrap or cover.

BLIGHTED PROPERTY. Any property that endangers the public health safety or welfare in its condition and is a public nuisance, or is a structure or improvement that is beyond repair or unfit for human occupancy or use.

BRUSH SITE. See **YARD WASTE.**

BUSINESS. An operation, location or property where an activity other than residential or an activity in conjunction with a residence takes place for the purpose of selling a product, service, commodity or recreational activity in which the sale of the product, service, commodity or recreational activity is either advertised or known to be for sale.

CANISTER SITE. A facility designed to accept drop-off of mixed municipal solid waste, recyclable materials and/or source separated materials for short-term storage and subsequent transfer for proper management.

CERTIFICATE OF NEED (CON). An issuance from the state to certify needed disposal capacity.

CHARGE. A solid waste management charge.

CITY. A statutory or home rule charter city or town located within the county.

CLOSURE. Actions to prevent or minimize the threat to public health and the environment posed by a facility that no longer accepts the solid waste for which it operated or was permitted, including the removal of contaminated equipment, the removal of liners, applying final cover, grading and seeding final cover, installation of monitoring devices, construction of ground and surface water diversion structures and gas control systems as necessary.

COLLECTION. The aggregation of solid waste from the place at which it is generated and includes all activities up to the time the solid waste is delivered to a solid waste management facility.

COMMERCIAL HAULER. Any person who owns, operates or leases vehicles for the purpose of collection or transporting solid waste or source separated materials from residential, commercial or industrial property.

COMMERCIAL SITE. Any business, commercial, industrial, institutional or governmental establishment. These include home-operated businesses, industries, commercial and institutional enterprises and such non-residential institutions as churches, nursing homes, non-profit associations, schools and the like. If a site has dwelling units, but also has one or more units not used for dwelling purposes, such as a store or a restaurant, then it is considered a **COMMERCIAL SITE**.

COMPACTED MATERIAL. The practice of exerting force or pressure on materials to compress or densify them to occupy a smaller space.

COMPOST. The controlled microbial process that converts organic, plant or animal materials to a usable organic soil amendment mulch. **ANIMAL COMPOST MATERIAL** is defined and regulated by the state's Department of Agriculture.

COMPOST FACILITY. A site used to compost or co-compost solid waste, including all structures or processing equipment used to control drainage, collect and treat leachate and storage areas for the incoming waste, the final product and residuals resulting from the composting process.

CONSTRUCTION AND DEMOLITION DEBRIS.

(1) Solid waste resulting from construction, remodeling, repair, erection and demolition of buildings, roads and other artificial structures, including: concrete; brick; bituminous concrete; untreated wood; masonry; glass; trees; rock; plastic building parts; plumbing fixtures; roofing materials; wallboard; and built-in cabinetry.

(2) **CONSTRUCTION AND DEMOLITION DEBRIS** does not include: asbestos waste; auto glass; wood treated with chemical preservatives; furniture; lighting equipment; vermiculite; contaminated soil; firebrick; food waste; machinery; engine parts; liquid paints; paint thinners or solvents; varnishes; street sweepings; tar; carpet/padding if not affixed to a structure; mattresses; adhesives, caulking, sealants and applicators, brushes, containers, tubes, filters contaminated with these materials; sandblasting materials; agricultural chemicals or containers (including empty pesticide, herbicide, and insecticide containers); chemical containers; animal carcasses, parts or rendering and slaughterhouse wastes; appliances (including white goods and brown goods); ashes or hot wastes that could spontaneously combust or ignite other wastes due to high temperatures; ash from incinerators, resource recovery facilities and power plants; batteries; carbon filters; fluorescent tubes and ballasts; high-intensity discharge lamps; foundry wastes; hazardous waste; household refuse or garbage; infectious waste; liquids (any type), liquid non-hazardous materials; medical waste; mercury containing wastes (thermostats, switches); PCB contaminated wastes; petroleum products and their containers or filters (including oil, grease or fuel); radioactive waste (unless natural materials at normal background levels); septic tank pumpings; sludges (including ink, lime, wood, sewage or paper); live coal tar (including applicators, containers and tubes); waste tires; vehicles; yard waste; and packaging materials, including cardboard, paper, shrink-wrap and Styrofoam. Mixtures of construction and demolition debris with other solid waste is not **CONSTRUCTION AND DEMOLITION DEBRIS**.

CONSTRUCTION AND DEMOLITION DEBRIS LAND DISPOSAL FACILITY. A site used to dispose of construction and demolition debris.

COUNTY. Any department or representative of Redwood County who is authorized by this chapter or otherwise by the County Board to represent the county in the administration or enforcement of this chapter.

COUNTY BOARD. The Redwood County Board of Commissioners.

COVER. Cover material that is periodically spread and compacted on the top and side slopes of compacted solid waste to control fire, infiltration and erosion.

COVER MATERIAL. Material approved by the Agency and Solid Waste Department that is used to cover compacted solid waste in a land disposal site.

CURBSIDE COLLECTION. A mixed municipal solid waste, yard waste and/or recyclable materials collection system whereby the generators set solid waste containers at the curb adjacent to a roadway or, where this is not practical, in locations easily accessible for collection by a hauler.

DEPARTMENT. The county's Solid Waste Department and the Redwood/Renville Regional Solid Waste Authority (RRRSWA).

DISPOSAL/DISPOSE. The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharge into any waters, including ground water.

DUMP. The intentional or accidental discharge, deposit, injection, spilling, leaking or placing of any solid waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any water, including ground water.

DUMPING. The illegal placement of any solid waste, including construction and demolition debris, hazardous waste, industrial solid waste, mixed municipal solid waste or recyclable materials, anywhere other than in an approved container or at a solid waste management facility during hours of operation.

ENVIRONMENTAL ASSESSMENT. See **SOLID WASTE ASSESSMENT.**

FACILITY. All contiguous land, structures, monitoring devices and other improvements on the land used for monitoring, treating, storing or disposing of solid waste, leachate or residuals from solid waste processing.

FINANCIAL ASSURANCE. Monetary mechanisms that are used to assure proper closure, post closure care and contingency action at a site or solid waste management facility.

FLOODPLAIN. The area adjoining a water course or water basin that has been or may be covered by a regional flood, as defined in M.S. Ch. 103F, as it may be amended from time to time.

GARBAGE. Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

GENERATOR. Any person who produced solid waste.

GROUND WATER. Has the meaning given for "underground water" in Minnesota Rules.

HAULER. Any person that provides collection or transportation services for solid waste or source separated materials, but does not include self-hauler.

HAULER SERVICES. The mixed municipal solid waste services provided by a hauler or self-hauler.

HAZARDOUS WASTE.

(1) Any refuse, sludge or other waste material or combinations of refuse, sludge or other waste materials in solid, semi-solid, liquid or contained gaseous form which because of its quantity, concentration or chemical, physical or infectious characteristics may:

(a) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or

(b) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.

(2) Categories of **HAZARDOUS WASTE MATERIALS** include, but are not limited to: explosives; flammable; oxidizers; poisons; irritants; and corrosives.

HOUSEHOLD. One or more individuals related by blood, marriage or adoption, including foster children, and excluding servants, or a group of persons, some or all of whom are not related by blood, marriage or adoption, occupying a single dwelling unit, apartment unit or manufactured home.

HOUSEHOLD HAZARDOUS WASTE FACILITY. A permanent or temporary designated location with scheduled hours for collection where individuals may bring household hazardous waste.

HOUSEHOLD HAZARDOUS WASTE. Waste generated from household activity that exhibits the characteristics of or that is listed as hazardous waste under agency rules, that does not include waste from commercial activities that is generated, stored or present in a household.

IMMINENT HAZARD. An actual or potential immediate threat to the health, safety or well-being of humans or livestock, or that may cause environmental degradation.

INCINERATION. The process of burning wastes for the purpose of volume and weight reduction or energy recovery in facilities designed for the use.

INDUSTRIAL SOLID WASTE. Solid waste generated from an industrial or manufacturing process and solid waste generated from non-manufacturing activities that is collected, processed or disposed of as a separate waste stream. **INDUSTRIAL SOLID WASTE** does not include office materials, restaurant and food preparation waste, discarded machinery, construction and demolition debris, mixed municipal solid waste or mixed municipal solid waste combustor ash.

INDUSTRIAL SOLID WASTE LAND DISPOSAL FACILITY. A site used to dispose of industrial solid waste in or on the land.

LEACHATE. Liquid that has percolated through refuse, ash or other solid waste and may have extracted, dissolved or suspended materials from it.

LEACHATE MANAGEMENT SYSTEM. The structures constructed and operated to contain, transport and treat leachate, including liners, collection pipes, detection systems, holding areas and treatment facilities.

LEAK-PROOF. A container or enclosure that is constructed in a manner that it will not allow its contents to spill out without being opened and physically discharging the contents.

LICENSE. Authorization by the County Board to conduct business services that may be limited to a specific period of time, specific person and or a specific site in the county.

LICENSEE. A person who has been issued a license by the County Board for solid waste management purposes pursuant to this chapter.

MAJOR APPLIANCE. Clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, freezers and other appliances designated by state law or this chapter.

MEDICAL WASTE. Biological waste originating from the diagnosis, care or treatment of a person or animal, or waste resulting from biological research, whether or not the waste has been rendered non-infectious.

MIXED MUNICIPAL SOLID WASTE (MSW).

(1) Garbage, refuse and other solid waste from residential, non-residential, industrial and community activities that the generator of the waste aggregates for collection, except as provided in division (2) below; and

(2) **MIXED MUNICIPAL SOLID WASTE** does not include auto hulks, street sweepings, ash, construction and demolition debris, mining waste, sludges, tree wastes, waste tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed and disposed of as separate waste streams.

MIXED MUNICIPAL SOLID WASTE LAND DISPOSAL FACILITY. A solid waste disposal facility used for mixed municipal solid waste.

MIXED MUNICIPAL SOLID WASTE SERVICES. Collection, transportation, processing or disposal of mixed municipal solid waste generated in the county, including, but not limited to, regularly scheduled service, on-call service, one-time service, rental and other use of equipment such as solid waste containers, compactors, compactor boxes and the like, and any other service that involves or facilitates collection, transportation, processing or disposal of solid waste materials as mixed municipal solid waste. It does not include the sale of equipment used for the collection, transportation, processing or disposal of mixed municipal solid waste. It does not include collection, transportation or management of recyclable materials, yard waste, food waste, source separated compostable materials, problem materials or other waste materials when these materials are segregated by the generator for the purpose of recycling or composting and are delivered to a recycling facility or compost facility, or the sale, rental or other use of equipment necessary to facilitate collection, transportation or management of these materials.

MONITORING POINT. Any installation used to

determine the quality or physical characteristics of ground water, surface water, water in the unsaturated zone or presence of air contaminants.

MUNICIPALITY. A city, village, borough, county, town, sanitary district, school district or other governmental subdivision or public corporation, or agency created by the state legislature.

NON-RESIDENTIAL ACCOUNTS. Solid waste management services provided to any non-residential building or parcel.

NON-RESIDENTIAL PROPERTY. All property that generates waste within the county that is not defined as a residential property as determined by the county.

NON-RESIDENTIAL RATE. The rate of the fee imposed on any person who pays for mixed municipal solid waste services for mixed municipal solid waste generated from any source in the county other than a residential building.

OPEN AREA. Any lands excluding enclosed structures.

OPEN BURNING. Burning any material whereby the resultant combustion products are emitted directly to the open atmosphere without passing through a stack, duct or chimney which is designed to remove certain pollutants and which is approved for such purposes.

OPERATING LICENSE. The license required by this chapter.

OPERATION. Any site, facility or activity relating to solid waste management.

OPERATOR. The person responsible for the overall operation of a solid waste facility.

OWNER. The person or persons who own a facility, part of a facility or the property.

PERSON. A human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association or other organization,

any receiver, trustee, assignee, agent or other legal representative of any of the foregoing, or any other legal entity.

PROBLEM MATERIAL. A material that, when processed or disposed of with mixed municipal solid waste, contributes to one of the following results:

- (1) The release of a hazardous substance, pollutant or contaminant, as defined in M.S. § 115B.02, as it may be amended from time to time;
- (2) Pollution of water, as defined in M.S. § 115.01, as it may be amended from time to time;
- (3) Air pollution as defined in M.S. § 116.06, as it may be amended from time to time; or
- (4) A significant threat to the safe or efficient operation of a solid waste management facility.

PROCESSING. The treatment of solid waste or source separated materials after collection and before final disposal. **PROCESSING** includes, but is not limited to, volume reduction, storage, separation, exchange, resource recovery, physical, chemical or biological modifications.

REAL PROPERTY.

(1) For the purposes of taxation, **REAL PROPERTY** includes the land itself, rails, ties and other track materials annexed to the land, and all buildings, structures and improvements or other fixtures on it, bridges of bridge companies and all rights and privileges belonging or appertaining to the land, and all mines, iron ore and taconite minerals not otherwise exempt, quarries, fossils and trees on or under it.

(2) A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure.

(3) **REAL PROPERTY** does not include:

(a) Tools, implements, machinery, and equipment attached to or installed in real property for use in the business or production activity conducted thereon, regardless of size, weight or method of attachment and mine shafts, tunnels and other underground openings used to extract ores and minerals taxed under Ch. 298 together with steel, concrete and other materials used to support the openings;

(b) The exclusion provided in division (3)(a) above shall not apply to machinery and equipment includable as real estate by divisions (1) and (2) above, even though the machinery and equipment is used in the business or production activity conducted on the **REAL PROPERTY** if and to the extent the business or production activity consists of furnishing services or products to other buildings or structures which are subject to taxation under this chapter; and

(c) The exclusion provided in division (3)(a) above does not apply to the exterior shell of a structure, which constitutes walls, ceilings, roofs or floors if the shell of the structure has structural, insulation or temperature control functions or provides protection from the elements. Such an exterior shell is included in the definition of **REAL PROPERTY** even if it also has special functions distinct from that of a building.

(4) The term **REAL PROPERTY** does not include tools, implements, machinery, equipment, poles, lines, cables, wires, conduit and station connections which are part of a telephone communications system, regardless of attachment to or installation in **REAL PROPERTY** and regardless of size, weight or method of attachment or installation. (M.S. Ch. 272.03, subd. 1)

RECOVERED MATERIALS. Materials that have been separated from solid waste and stored so that the material is properly protected from environmental degradation and is not a source of odor, harborage for animals or insects and is being processed, modified or converted to be a raw material that may be beneficially used.

RECYCLABLE MATERIALS. Materials such as corrugated cardboard, office paper, newsprint, glass containers, tin containers, aluminum containers, polyethylene terephthalate and high-density polyethylene plastic, that are separated from solid waste for the purpose of recycling. These materials are considered to be recyclable materials if environmentally and economically appropriate markets exist that will accept these recyclable materials. Refuse-derived fuel or other material that is destroyed by incineration is not **RECYCLABLE MATERIAL**. Source separated compostable materials are **RECYCLABLE MATERIALS**.

RECYCLING. The process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

RECYCLING FACILITY. A facility used to aggregate, process or market recyclable materials. **RECYCLING FACILITY** does not include an individual generator of recyclable materials, such as a homeowner or business and it does not include a manufacturer using recyclable materials as feedstock.

REFUSE. Putrescible and non-putrescible solid waste, including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings and commercial and industrial solid waste, and including municipal treatment wastes which do not contain free moisture.

RELEASE. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment which occurred at a point in time or which continues to occur. **RELEASE** does not include:

(1) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft or pipeline pumping station engine;

(2) Release of source, by-product or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, under 42 U.S.C. § 2014, if the **RELEASE** is subject to

requirements with respect to financial protection established by the Federal Nuclear Regulatory Commission under 42 U.S.C. § 2210;

(3) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, being 42 U.S.C. § 7901 et seq., under 42 U.S.C. §§ 7912(a)(1) or 7942(a); or

(4) Any **RELEASE** resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in M.S. § 18B.01, subd. 18, as it may be amended from time to time.

RESIDENTIAL BUILDING. A single-family home, a duplex, a triplex, a fourplex, an apartment building, a mobile home, a condominium, a townhouse, a cooperative housing unit or any other residential building as determined by the county.

RESIDENTIAL PROPERTY. Property on which a single-family home, a duplex, a triplex, a fourplex, an apartment building, a mobile home, a condominium, a townhouse, a cooperative housing unit or any other residential building as determined by the county is located.

REUSE. In the context of this chapter, the process of making further use of a material or product after it has been utilized for its original designed purpose and before it is recycled or disposed of.

RUBBISH. Non-putrescible solid waste, including ashes, consisting of both combustible and non-combustible waste, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery or litter of any kind.

RURAL RECYCLING AND/OR MSW SITE. Identifiable sites established for rural residents to deposit recyclable materials and/or MSW, located in rural areas or other designated locations within municipalities.

RRRSWA. The Redwood/Renville Regional Solid Waste Authority.

SCAVENGING. All unauthorized removal of waste and separated materials from solid waste.

SELF-HAULER. A generator who does not contract with a commercial hauler, but instead collects and transports its own solid waste. A **SELF-HAULER** shall not provide collection and transportation services to someone else for compensation.

SERVICE AREA. The spatial location of a proposed or actual solid waste management activity or solid waste management facility.

SEWAGE SLUDGE. The solids and associated liquids in municipal wastewater which are encountered and concentrated by a municipal wastewater treatment plant. **SEWAGE SLUDGE** does not include incinerator residues and grit, scum or screenings removed from other solids during treatment.

SHORELAND. Land located within the following distances from the ordinary high water elevation of public waters:

- (1) Land within 1,000 feet of a lake, pond, reservoir, impoundment or flowage; and
- (2) Land within 300 feet of a river or stream or the landward extent of a floodplain designated by ordinance, whichever is greater.

SINGLE-FAMILY DWELLING. See **RESIDENTIAL BUILDING.**

SINGLE-STREAM/SORT (FULLY COMINGLED) RECYCLING. A system in which all paper fiber, plastics, metals and glass are mixed together in a container/vehicle instead of being sorted by the depositor into separate commodities and handled separately through the collection process.

SOLID WASTE. Garbage, refuse, construction and demolition debris, sludge from a water supply treatment plant or air contaminant treatment facility and other discarded waste materials and sludge, in solid, semi-solid, liquid or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations and from community activities. It does not include hazardous waste, animal waste used

as fertilizer, earthen fill, boulders, rock, sewage sludge, solids or dissolved material in domestic sewage or dissolved materials in irrigation return flows or other common pollutants in waste resources, such as silt. It does not include dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under § 402 of the Federal Water Pollution Control Act, as amended. It also does not include source, special nuclear or by-product materials as defined by the Atomic Energy Act of 1954, being 42 U.S.C. § 2011 et seq., as amended.

SOLID WASTE ADMINISTRATOR. The individual assigned by the county to oversee and direct solid waste management activities.

SOLID WASTE ASSESSMENT/ ENVIRONMENTAL ASSESSMENT. A specific charge assessed on the owners of a selected group of properties to defray, in whole or in part, the cost of a specific improvement or service that is presumed to be of general benefit to the public and of specific benefit to the owners of the properties.

SOLID WASTE COLLECTION. The gathering of solid waste from public or private places.

SOLID WASTE FACILITY. All property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste. It includes, but is not limited to, the storage, collection, transportation, processing and reuse, conversion or disposal of solid waste in a safe environmentally sound manner; but does not include collection vehicles.

SOLID WASTE LAND DISPOSAL FACILITY. A solid waste land disposal facility permitted by the agency that is designed or operated for the purpose of disposing of solid waste on or in the land, together with any appurtenant facilities.

SOLID WASTE MANAGEMENT ACTIVITY. An activity related to the generation, storage, collection, transportation, processing or reuse, conversion or disposal of solid waste.

SOLID WASTE MANAGEMENT FACILITY. A solid waste land disposal facility, a construction and

demolition debris land disposal facility, an industrial solid waste land disposal facility, a compost facility, a transfer station, a solid waste processing facility, a waste tire facility, a waste tire collection site, a waste tire processing facility or a recycling facility.

SOLID WASTE MANAGEMENT PLAN. The county solid waste management plan developed, adopted and approved as per M.S. § 115A.46, as it may be amended from time to time. The **COUNTY SOLID WASTE MANAGEMENT PLAN** is the Southwest Regional Solid Waste Commission Solid Waste Management Plan, or any solid waste policy plan approved by the County Board of Commissioners.

SOLID WASTE MANAGEMENT SERVICE CHARGE. A service charge imposed pursuant to M.S. § 400.08, as it may be amended from time to time.

SOLID WASTE MANAGEMENT SERVICES. All activities provided by the county, by persons under contract with the county, or by other persons that support the waste management responsibilities described in M.S. Ch. 115A, 116 and 400, as they may be amended from time to time, including, but not limited to: waste management information and education; waste reduction and reuse; waste recycling; composting of yard waste and food waste; resource recovery through mixed municipal solid waste composting or incineration; land disposal; management of problem materials and household hazardous waste; collection, processing and disposal of solid waste; closure and post-closure care of a solid waste management facility; and response, as defined in M.S. § 115B.02, as it may be amended from time to time, to releases from a solid waste management facility.

SOLID WASTE ORDINANCE. The county's solid waste management ordinance(s) adopted by the County Board and as amended or supplemented from time to time.

SOLID WASTE PROCESSING FACILITY. A facility for the processing of solid waste.

SOLID WASTE REDUCTION; SOURCE REDUCTION. An activity that reduces generation of solid waste or the inclusion of toxic materials in solid waste, including:

- (1) Reusing a product in its original form;
- (2) Increasing the life span of a product;
- (3) Reducing material or the toxicity of material used in production or packaging; or
- (4) Changing procurement, consumption or solid waste generation habits to result in smaller quantities or lower toxicity of solid waste generated.

SOLID WASTE STORAGE. The holding of solid waste near the point of generation.

SOLID WASTE SUBCOMMITTEE. One or two County Board Commissioners, the Solid Waste Administrator, authorized representative(s), county employees and/or residents assembled to make recommendations to the RRRSWA.

SOLID WASTE TRANSPORTATION. The conveying of solid waste from one place to another, by means of vehicle, rail car, water vessel, conveyor or other means.

SOURCE-SEPARATED MATERIALS. Materials that are separated from solid waste by the generator. **SOURCE-SEPARATED MATERIALS** include, but are not limited to, recyclable materials, vegetative materials recovered for composting and organic waste.

SOURCE SEPARATED ORGANIC MATERIALS. Materials that:

- (1) Are separated at the source by waste generators for the purpose of preparing them for reuse as compost or other processing;
- (2) Are collected separately from mixed municipal solid waste; and
- (3) Are comprised of organic waste, including, but not limited to:
 - (a) Yard and landscaping debris, including floral trimmings, tree trimmings, leaves, grass, brush and weeds;

(b) Food waste, including organic residues generated by handling, storage, sale, preparation, cooking and serving of foods including fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bakery items, cheese, egg shells and coffee grounds; and

(c) Paper fibers, waxed cardboard, napkins, paper towels, uncoated paper plates, tea bags, coffee filters, wood crates and greasy pizza boxes.

SOURCE SEPARATED RECYCLABLE MATERIAL. Recyclable materials separated by the generator prior to collection for recycling.

STATE. The State of Minnesota.

TIPPING FEE. The fee at a waste facility for waste delivered to that facility based upon the weight, volume, character or type of waste.

TIRE. A pneumatic tire or solid tire for motor vehicles or other vehicle as defined in state statutes.

TIRE COLLECTOR. A person who owns or operates a site used for storage, collection or deposit of more than 50 waste tires.

TIRE PROCESSING. Producing or manufacturing usable materials, including fuel, from waste tires including necessary incidental temporary storage activity.

TIRE PROCESSOR. A person engaged in the processing of waste tires.

TRANSFER FACILITY or TRANSFER STATION. A facility at which solid waste is concentrated for subsequent transport. A **TRANSFER FACILITY** may be fixed or mobile.

TRANSPORTATION. The conveying of solid waste or recyclable materials from one place to another.

UNACCEPTABLE WASTE. Those solid wastes which cannot be accepted for processing or disposal as defined by a facility pursuant to local, state and federal laws or permits.

WASTE PROCESSING. The treatment of solid waste after collection and before disposal. **PROCESSING** includes, but is not limited to, volume reduction, storage, separation, exchange, recovery of energy and resources, physical, chemical or biological modification and the operations of a metal recycling or salvage facility.

WASTE TIRE. A tire that is no longer suitable for its original intended purpose because of wear, damage or defect.

WASTE TIRE COLLECTION SITE. A county-licensed and agency permitted site or a site exempt from the license or permit, used for the collection and storage of waste tires.

WASTE TIRE DUMP. An unlicensed, unpermitted site being maintained, operated, used or allowed to be used for the collection, storage, keeping or depositing of unprocessed waste tires.

WASTE TIRE FACILITY. A site where more than 50 waste tires or an equivalent amount of tire derived products are collected, deposited, stored or processed. The incidental storage of tire-derived products at the site of final use does not make the site a **WASTE TIRE FACILITY**.

WASTE TIRE PROCESSING FACILITY. A licensed solid waste management facility used for the shredding, slicing, producing or manufacturing of usable materials, including fuel, from waste tires including incidental temporary storage activity. **PROCESSING** does not include the retreading of waste tires.

WETLAND. A natural marsh where water stands near, at or above the soil surface during a significant portion of most years, and which is eligible for classification as an inland fresh water wetland Type 3, 4 or 5 under U.S. Department of Interior classification.

YARD WASTE. The garden wastes, leaves, lawn cuttings, weeds and prunings generated at residential or commercial properties. (See **BRUSH SITE**.) (Ord. passed - -)

§ 50.03 RESPONSIBILITIES.

Redwood County - Public Works

14

(A) The County Board and the appointed Solid Waste Officer/RRRSWA Executive Director shall be responsible for general administration and enforcement of this chapter.

(B) The county shall inspect operations to determine compliance, issue licenses and permits, notices of violation and notice of suspension or revocation of licenses and permits; make required reports, investigate complaints about violations, and make the County Attorney aware of the violations; and keep proper records of all transactions conducted under this chapter.

(C) The county shall require that any data received by the county or any entity acting on behalf of the county shall be maintained in accordance with the provisions of the state's Government Data Practices Act, M.S. Ch. 13, as it may be amended from time to time.

(D) Pursuant to M.S. § 115A.94, as it may be amended from time to time, the county may mandate that all cities and towns participate in solid waste management activities by:

(1) Providing the residents of the political subdivision with a mixed municipal solid waste collection method (i.e., contracted collection services, canister sites and collection services); and

(2) Provide the residents of the political subdivision with a recycling alternative through a redemption center, drop-off center or other collection methods.

(E) Pursuant to M.S. Ch. 115A, 116 and 400, as they may be amended from time to time, and the county's Solid Waste Management Plan, the county has implemented a system of solid waste management that includes readily accessible solid waste collection and disposal services. The services are available county-wide through a system of licensed private and municipal haulers, as well as through readily accessible drop-off facilities.

(F) Pursuant to M.S. § 400.08, subd. 2, as it may be amended from time to time, the county establishes one solid waste management service area, with its

boundaries being coterminous with the boundaries of the county.

(G) Pursuant to M.S. § 115A.46, subd. 5, as it may be amended from time to time, a public entity within the county may not enter into a binding agreement, nor develop, nor undertake, a solid waste management activity that is inconsistent with the county's Solid Waste Management Plan without the express consent of the county.

(H) Any use of land for solid waste management activities within the county shall comply with the zoning requirements of Ch. 153 of this code of ordinances, if applicable, or the requirements of municipal land use ordinances, if applicable.

(I) To the fullest extent permitted by law, a licensee shall indemnify the county, its officers, employees, agents and others acting on their behalf, to hold them harmless, and to defend and protect them, from and against any and all loss, damage, liability, cost and expense (specifically including reasonable attorneys' fees and other costs and expenses of defense), of any sort whatsoever, based upon, resulting from or otherwise arising in connection with any actions, claims or proceedings (of any sort and from any source whatsoever) brought, or any loss, damage or injury of any type whatsoever sustained, by reason of any act or omission of a licensee, its officers, employees or agents, or any other person(s) or entity(ies) for whose acts or omissions a licensee may be legally responsible, in the performance of any of a licensee's obligations (whether expressed or implied) under this chapter.

(Ord. passed - -)

§ 50.04 UNLAWFUL ACTIVITIES.

(A) *Improper transportation.* It shall be unlawful for any person to:

(1) To collect and transport, for compensation, solid waste or source separated materials within the service area, without having obtained a license to do so, or when the license has been revoked or suspended, unless as transported by a self-hauler;

(2) To collect or transport solid waste or source separated materials within the county in such a way as to violate any requirements of any county ordinance, state or federal law; and/or

(3) To fail to correct any condition or method of operation which violates any county ordinance or rules applicable to the collection or transportation of solid waste or source separated materials after being ordered to do so by the county.

(B) *Upsetting of containers prohibited.* No person shall willfully turn over or upset any vessel or container used for sorting or storing solid waste, recyclable materials, compost or other waste, resulting in spilling the contents or any portion thereof on any roadway, waterway or on any public or private property.

(C) *Using containers of another prohibited.* No person shall place solid waste or any other material in a solid waste container of another person without the express consent of the person. This prohibition shall not apply to containers placed for public convenience along streets or sidewalks and in buildings of public accommodation.

(D) *Containment of solid waste or source separated materials.* No person shall discharge or allow the discharge of liquid, solid waste or source separated materials from any container or vehicle containing solid waste or any other waste, or permit the vehicle to stand, be stored or kept in a manner or for a length of time that it will be or constitute a nuisance.

(E) *Improper disposal.* Pursuant to M.S. Ch. 115A, 116 and 400, as they may be amended from time to time, and the county's Solid Waste Management Plan, the county has implemented a system of solid waste management that includes readily accessible solid waste collection and disposal services. The services are available county-wide through a system of licensed private and municipal haulers as well as through readily accessible solid waste transfer facilities.

(1) Except as provided in this chapter, no person shall dump, throw or in any manner deposit or dispose of solid waste upon or in any roadway, waterway, body of water, public or private property, or at an agency permitted waste facility other than during the facility's operating hours and in a manner consistent with disposal of solid waste at the waste facility.

(2) Burning of solid waste shall be allowed only in compliance with M.S. §§ 17.135 and 88.171, as they may be amended from time to time. If the County Board has adopted a resolution stating that regularly scheduled pickup of solid waste is reasonably available throughout the county, the exception for on-site burning in M.S. § 17.135, as it may be amended from time to time, shall not apply.

(3) Electric utility and railroad companies that distribute chemically treated wood products to the general public for reuse must, upon providing the products, also provide written information on proper disposal of the products pursuant to the requirements of M.S. §§ 17.135 and 88.171, as they may be amended from time to time, and this chapter.

(4) No person shall bury solid waste generated from the person's household or business operation without a permit as required by this chapter. If the County Board has adopted a resolution stating that regularly scheduled pickup of solid waste is reasonably available throughout the county, the exception for on-site burial in M.S. § 17.135, as it may be amended from time to time, shall not apply.

(F) *Duty to provide collection, transportation and disposal of solid waste.* It shall be the duty of the person, which specifically includes the owner, lessee or occupant, having properties within the county to

provide for the lawful collection, transportation and disposal of all solid waste generated on the properties.

(G) *Items prohibited for collection or placement with mixed municipal solid waste.*

(1) No person shall place in containers for collection by a hauler or for disposal in a solid waste facility any of the following materials: a significant amount of manure; household hazardous waste; hazardous waste; pathological waste or infectious waste as these wastes are defined by state and federal regulations; materials separated for recycling; tires; used motor oil; lead acid batteries; rechargeable or button batteries; yard waste, mercury or a thermostat, thermometer, electric switch, appliance or a medical or scientific instrument for which the mercury has not been removed for reuse or recycling; or any other item specifically barred from the waste stream under state law. These items shall be otherwise disposed of by a person or legal entity in accordance with programs administered by the Department or in accordance with state law.

(2) When any hauler finds any of the above-mentioned prohibited articles in solid waste containers to be collected, the hauler may, at its option, refuse to collect the contents of the container. The hauler shall notify the occupant of the premises of the prohibited articles in the container and the reason for non-collection. If a hauler chooses to collect prohibited articles, that hauler must transport those articles to a place providing proper disposal.

(H) *Items prohibited for collection or placement with recyclable materials.* No person shall place in containers intended for the collection and processing of recyclable materials, (including rural recycling dumpsters, residential carts, recycling roll-offs or other recycling containers), any material that is not defined as recyclable material including, but not limited to: mixed municipal solid waste; garbage; hazardous materials; major appliances; electronics; animal/animal waste; medical waste; personal hygiene/care products; needles; scrap iron; clothing/fabrics; rubber; wood; organics and yard waste; construction and demolition debris.

(I) *Scavenging.* Without the consent of the owner/operator of that facility or container, it shall be unlawful for a person to remove waste materials, including mixed municipal solid waste, recyclable materials, scrap metals, appliances, tires, construction and demolition debris, or other waste materials, from any solid waste facility or from any privately or publicly owned solid waste or recycling container. This prohibition shall not apply to materials removed from waste facilities by contract or through a managed salvaging program.

(J) *Spills.* Vehicles or containers used for the transportation of any solid waste must be loaded and moved in a manner that does not allow the contents to fall, leak or spill therefrom, and must be covered when necessary to prevent blowing of material. Where spillage does occur, the material and any contaminated soils must be picked up immediately by the transporter and returned to the vehicle or container and the area properly cleaned.

(Ord. passed - -) Penalty, see § 10.99

§ 50.05 SOLID WASTE MANAGEMENT FACILITIES.

(A) No person shall use, cause, permit or allow land or property under their control to be used for solid waste management purposes, except at an operation for which a permit has been generated by the County Board, unless otherwise provided by this chapter.

(B) Any operation to be used for any method of solid waste management which includes, but is not limited to land disposal, resource recovery, composting/co-composting, recycling and transfer stations must be licensed by the County Board before operation may commence. The permit application shall contain two complete sets of plans, specifications and reports prepared by a state registered professional engineer. Those shall include:

(1) A current map or aerial photograph of the area showing land use and zoning, if applicable, within one-fourth mile of the site or facility. The map or aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, roads and other applicable details as determined by the Department, and shall include the general topography with contours and drainage patterns. The location of wells shall be identified on the map or photograph. United States Geological Survey data shall be included and a north arrow drawn. A location insert map shall be included;

(2) A plot plan including a legal description of the site and adjacent area showing dimensions, location of soil borings, present and planned pertinent features including, but not limited to, roads, fencing, screening, cover stockpiles and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch;

(3) An ultimate land use plan of the site including stages identifying the total and complete land use and showing finished contour lines and elevations. The scale of the ultimate land use plan shall not be greater than 200 feet per inch;

(4) A report indicating:

(a) The geographical areas expected to be served by the facility, current population of the area and projected population figures for the period of the expected life of the facility;

(b) The anticipated type, quantity and source of material to be managed at the site;

(c) The type and amount of equipment to be provided at the site for waste handling;

(d) The area of the site in acres;

(e) The name and address of the owner of the site or facility, and the name and address of individuals responsible for the actual operation and maintenance of the site;

(f) The intended operating procedures;

(g) The expected schedule of fees to be imposed at the facility;

(h) An estimate of the number of vehicles using the facility each data and the volume of wastes deposited daily; and

(i) The layout and construction of the facility.

(5) A notarized affidavit stating that the applicable local governments have been given at least 30 days of written notification of the pending application for a license;

(6) Explanation of the availability of revenues necessary to operate the facility in accordance with applicable state and local laws, ordinances and rules; and

(7) Such additional information as may be required by the Department.

(C) (1) After receiving an application for a license, the County Board shall refer the application to the Department, which shall give a non-binding recommendation to the County Board concerning whether it should issue or deny the license.

(2) If an applicant is denied a license, the applicant shall be notified in writing of the reasons therefor by the County Board. A denial shall be without prejudice to the applicant's right to an appearance before the County Board or to the applicant's right to file a further application after revisions are made to satisfy objections specified as reasons for the denial.

(D) (1) Except as otherwise provided, a public hearing before the County Board is required prior to the issuance of a license for a solid waste management facility.

(2) Notice of the time, place and project to be considered shall be given by publication in the official newspaper for the county at least ten days before the hearing.

Redwood County - Public Works

18

(3) Written notice shall be sent to property owners of record within one-quarter mile of the existing or proposed project, or to the ten properties nearest to the project, whichever would provide notice to the greatest number of owners.

(4) Written notice shall also be given to the affected board of town supervisors and the municipal council of any municipality within which the existing or proposed project is located.

(5) The applicant and all other interested parties shall be afforded an opportunity to be heard at the hearing.

(6) Evidence may be cited in a manner consistent with rules of evidence applied in civil cases. A transcript thereof shall be made by tape recording or other suitable technique. All books, records, files and correspondence of the County Board pertaining to the application shall be available for public inspection.

(E) The County Board may refuse to issue a license for any operation that does not comply with this chapter, agency rules and the county's Solid Waste Management Plan, as provided for in state statutes.

(F) Issuance of any license pursuant to the provisions of this chapter shall be contingent upon the applicant furnishing to the county a bond in the amount to be set by the County Board. The bond shall name the county as obligee with sufficient sureties duly licensed and authorized to transact business in the state as sureties. The condition of the bond shall be that if the licensee fails to comply with any of the requirements of county ordinances, or fails to perform any of the acts required or ceases to operate, and the county is required to expend any moneys, or expend any labor or material to restore the operation to a condition in compliance with this chapter, the bond holder and the sureties on its bond shall reimburse the county for any and all the expenses incurred by the county to remedy failure of the licensee to comply with the terms of county ordinances, and the bond holder and its sureties shall indemnify and hold the county harmless from all losses, costs and charges that may occur to the bond holder or its sureties because of any default of the licensee under the terms of its permit to operate in compliance with the terms of the ordinances of the county.

(G) In addition to the bond, issuance of any license pursuant to the provisions of this chapter shall be contingent upon the applicant securing and furnishing to the county certificates of insurance which may include, but not be limited to, the following types of insurance issued to the licensee by insurers duly licensed within the state: general liability, including, but not limited to, bodily injury, property damage, motor vehicle, loading and unloading, completed operations, explosion and collapses of underground operations; and worker's compensation. The insurance shall be issued in the amounts equal to or greater than the minimum insurance limits provided in § 50.28 of this chapter.

(H) (1) Any license granted by the County Board under the provisions of this chapter may be conditionally revoked or suspended by the County Board for non-compliance with the provisions of the license, this chapter or applicable state laws or rules, or upon written notification to the licensee and the County Board by the Department or by an authorized representative of the County Board that the continued use of the operation may endanger the health, welfare and safety of the public or that the continued use may cause pollution or impairment of the environment. In

the event of emergency health, safety or welfare dangers, the County Board or the Department may conditionally suspend or revoke the license immediately pending a hearing before the County Board, pursuant to Chapter 30 of this code of ordinances. If the County Board revokes the license, the operator may apply for a new license when in full compliance with this chapter, state laws and rules.

(2) The notice of conditional revocation or suspension shall be deemed served whenever it is served upon the licensee personally or by leaving the same at the licensed premises with the person in charge thereof. A copy of the notice of conditional revocation or suspension shall be provided to the County Board. The County Board shall remove the license suspension when the situation has been fully corrected. The conditional revocation or suspension shall become final unless, within ten days of service, the licensee requests a hearing before the County Board. Except as herein provided, a license may be finally revoked or suspended only after the County Board has held a hearing at which the licensee and other persons wishing to be heard concerning the operation shall have the right to be heard. The date of the hearing for permit revocation of suspension shall be set by the County Board and shall not be held earlier than ten days, nor later than 30 calendar days, after notice of the hearing was mailed to or served on the licensee. Evidence may be adduced in a manner consistent with the rules of evidence applied in civil cases. A transcript thereof shall be made by tape recording or other suitable technique. If, pursuant to the hearing, the County Board shall determine that the operation has been conducted in violation of the provisions of the license, this chapter, state law or rules, the County Board may finally revoke the license or the County Board may continue the suspension in effect until the licensee has demonstrated that full compliance with the provisions of the license, county ordinance, state laws and rules has been attained and that the compliance will be continued in the foreseeable future. If the County Board revokes the operator's license, the operator may apply for a new license.

(I) Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this chapter shall expire on December 31 of the year specified by the County Board, unless sooner revoked pursuant to this chapter. Application for license

renewal shall be made in writing to the county 30 days prior to the date of expiration. Application for renewal shall contain a statement of any changes in the information submitted in the last approved license application. Failure to submit the information shall result in the denial of the license by the County Board. If there are no changes, it shall be so stated in the renewal application.

(J) Where the conditions imposed by any provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this chapter, or any other applicable law, ordinance or rule, that provision which establishes the higher standards for the promotion of the public health, safety and general welfare shall prevail.

(K) Every license issued for a solid waste operation in the county shall be registered with the Department.

(Ord. passed - -) Penalty, see § 10.99

§ 50.06 SOLID WASTE STORAGE.

(A) *Storage of waste.*

(1) The owner or occupant of any land or structure is responsible for the satisfactory storage of all solid waste accumulated at or on the land or structure in compliance with this chapter, Minnesota Rules and any local ordinances.

(2) No person who is not permitted by the state as a tire collector or tire processor may accumulate more than 50 waste tires or equivalent weight of other waste tires on the person's premises, unless the person is a retail tire seller, tire-retreading business or vehicle repair business subject to the requirements of § 50.25(A) of this chapter. Exceptions may be allowed when waste tires are utilized outside of a building for agricultural purposes where they comply with the requirements of other applicable laws or sections of this chapter.

(3) A person may not store waste in a manner that could cause pollution of the air, water or soils, or that could cause harm to other's health or well-being.

(B) *Waste accumulations.* Except as otherwise allowed by this chapter, owners, occupants or managers of every property shall be responsible for maintaining all open areas free of improperly stored waste accumulations. Waste accumulations include: auto/machinery hulks; construction and demolition debris; garbage; hazardous waste; household hazardous waste; major appliances; mixed municipal solid waste; recyclable materials; refuse; rubbish; solid waste; yard waste; any other form of waste which is in a condition of disrepair such as to have no immediate useful purpose.

(C) *Storage containers required.* Every residential dwelling or commercial, industrial or institutional site shall be supplied with appropriate waste storage containers. The containers shall be provided by the owner or manager of the property or by contract with a commercial hauler.

(D) *Provided containers required to be used.* Property owners or occupants shall store waste for removal in the waste storage containers. The property owner or occupant shall not permit waste to be placed in locations or in a manner that the waste can be scattered by water, wind, animals.

(E) *Frequency of container service.* Every property owner or occupant shall have the solid waste removed and deposited at a place allowed by this chapter, on a regularly scheduled basis. Non-putrescible waste suitable and sorted for recycling may be retained if stored in an aesthetically acceptable manner that avoids unacceptable health risk or nuisances and otherwise complies with this chapter.

(F) *Storage container maintenance.* Solid waste containers shall be maintained and kept in a neat, clean, sanitary and leak-resistant condition by the container's owners as to prevent insect breeding, nuisances and unsightly conditions.

(G) *Unauthorized transfer of solid waste.* Except as permitted by this chapter, solid waste shall not be transferred and or deposited to another property or another property's waste storage container, except with the consent of the property owner.
(Ord. passed - -) Penalty, see § 10.99

§ 50.07 WASTE TIRES AND UNACCEPTABLE WASTE.

(A) Waste tires.

(1) Waste tire collectors and processors shall meet the requirements of state laws and rules administered by the agency.

(2) Waste tires shall be stored in a manner which will not create a nuisance, blight, health hazard or fire hazard.

(3) Waste tires within 1,000 feet of any residence shall be stored or utilized in a manner that prevents water from being retained in the tires.

(4) Waste tires shall not be placed, stored or disposed of in or at any non-permitted area. Examples of non-permitted areas include, but are not limited to: lakes; streams; waterways; drainage ditches; wetlands; ravines; gullies; gravel pits; floodplains; shorelands; groves; rights-of-way; unoccupied and occupied sites, facilities or structures.

(5) The owner or occupant of the land or premises upon which waste tires are located in violation of this chapter shall be obligated to remove them and be taken to a licensed solid waste management facility.

(B) *Unacceptable waste.* It is the responsibility of the solid waste hauler to dispose of waste at a suitable licensed solid waste management facility. A solid waste facility may reject waste as unacceptable. The solid waste facility may provide information regarding suitable facilities where that unacceptably can be accepted.

(Ord. passed - -) Penalty, see § 10.99

§ 50.08 ENFORCEMENT.

(A) *Inspections.* Inspection of licensed or permitted solid waste management activities, facility and/or a licensee's premises and any/all property shall be made by the county in a frequency as to ensure consistent compliance by the licensee or property owner with this chapter.

(1) The applicant, licensee or property owner shall allow free access to authorized representatives of the county at any reasonable time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of all county ordinances, or rules or statutes.

(2) Failure of the applicant, licensee or property owner to permit the inspection shall be grounds for denial, suspension or revocation of a license. The licensee shall be provided with written documentation of any deficiencies and the date by which the corrections shall be completed.

(3) Whenever necessary to enforce any provision of this chapter, or whenever the county has reasonable cause to believe that a violation of this chapter exists, the county may enter premises or vehicles to inspect the same or to perform any duty incumbent upon the county; provided that, if the premises or vehicle be occupied, the authorized representative shall first present proper credentials and request entry; and, if the premises or vehicles are unoccupied, the county shall first make a reasonable effort to locate the operator or other persons having charge or control of the premises or vehicle and request entry. If the entry is refused, the county may order an emergency suspension, suspension or revocation of a license or prosecution and shall have recourse to other remedies provided by law.

(4) Whenever the county or its authorized representatives shall find in any building, vehicle or on any premises any material, condition or activity endangering the health, welfare or safety of the public, the county shall issue the orders as may be necessary for the enforcement of this or other applicable county ordinances governing and safeguarding the health, welfare and safety of the public.

(5) Repeated violations of this chapter or failure to comply with any order of the county shall be grounds for emergency suspension, suspension or revocation of a license or prosecution.

(6) Any order or notice issued or served by the county shall be complied with by the owner, operator or other persons responsible for the condition or violation to which the order or notice pertains. Every order or notice shall set forth a time limit for compliance depending on the nature of and the danger created by the violation. In cases of extreme danger to health, welfare and safety of the public, immediate compliance shall be required.

(7) If a building, premises or vehicle is owned by one person and occupied or operated by another, under lease or otherwise, and the order or notice requires immediate compliance for the health, welfare and safety of the public, the order or notice shall be served on the owner, operator or occupant and the owner, operator or occupant shall ensure compliance with the order or notice.

(B) *Re-inspection.*

(1) Upon written notification from the licensee or property owner that all the violations for which a suspension or emergency suspension has been issued have been corrected, the county shall re-inspect the solid waste management activity.

(2) If the county finds upon re-inspection that the violation has been corrected, the county shall inform the licensee or property owner of reinstatement of the license or of corrected action.

(C) *Action authorized.* In the event of a violation or a threatened violation of this chapter, the Solid Waste Administrator in addition to other remedies, may institute appropriate actions, proceedings or fines to prevent, restrain, correct or abate the violations or threatened violations and it is the duty of the Attorney to institute the action.

(Ord. passed - -)

§ 50.09 ADDITIONAL REQUIREMENTS.

The County Board may impose additional

requirements consistent with the intent of this chapter. Unless specifically authorized in advance by the owners of a facility, it shall be a violation of this chapter for any person or persons to enter upon or remain on property permitted or authorized by this chapter at any time during which the facility is not open, as indicated by the posted hours of operation. (Ord. passed - -)

§ 50.10 PROVISIONS CUMULATIVE.

The provisions of this chapter are separate, distinct and cumulative and no such provision shall be excluded of any other provisions. (Ord. passed - -)

§ 50.11 CONSENT.

Nothing contained in this chapter shall be deemed to be a consent, license or permit to locate, construct or maintain a site, facility or operation, or to carry on any activity. (Ord. passed - -)

§ 50.12 NON-LIABILITY.

Neither the county, nor any officer or employee thereof, shall be held liable for any damage to persons or property by reason of any inspection, re-inspection or failure to inspect, or by reason of the approval or disapproval of equipment or the granting, not granting, suspending or revoking of any license hereunder, nor for any action in connection with the inspection or control of solid waste or in connection with any other official duties. (Ord. passed - -)

§ 50.13 REPORTING.

(A) The county may require information to be gathered by solid waste generators, solid waste management facility operators, commercial haulers and self-haulers regarding matters related to this chapter.

(B) The information may include, where applicable, customer names and locations, waste

origins, waste types and amounts and waste destinations for reuse, recycling, resource recovery or disposal.

(C) Any such information gathered by the county will be managed subject to the state's Data Practices Act, being M.S. §§ 13.01 et seq., as they may be amended from time to time, or other applicable data management laws or agreements as amended from time to time.

(D) Failure to provide this information will be considered a violation of this chapter. (Ord. passed - -)

LICENSES; COLLECTION AND TRANSPORTATION

§ 50.25 STANDARDS FOR COLLECTION AND TRANSPORTATION.

(A) The owner or leasee of any premises, business or industry may transport self-generated solid waste or contract with a licensed commercial hauler to collect and transport solid waste.

(B) All solid waste collected and removed from every premises, business or industry shall be transported to the appropriate facility licensed and designated for that purpose, pursuant to the laws of the state and this chapter.

(C) Vehicles and containers for solid waste transportation shall be enclosed, covered, leak-proof, durable and of easily cleanable construction. Suitable equipment shall be provided on each vehicle for the purpose of collecting spilled materials.

(D) All solid waste shall be loaded and moved in such a manner that it will not escape from its container. Where spillage does occur, the material shall be picked up immediately by the hauler or solid waste transporter and returned to the vehicle or container, and the area properly cleaned.

(E) Transporter shall notify the Department and the appropriate law enforcement agency if a load or partial load of solid waste is dumped or spilled, except

where allowed by this chapter and clean the area as instructed by the authorities.

(F) No one shall collect or transport solid waste that is smoking, smoldering or burning, except in a container designed and approved by the state's Fire Marshal and the Department.

(G) Solid waste shall not be allowed to remain or be stored in any collection or transportation vehicle in excess of 48 hours, except in the event of an emergency.

(H) Vehicles and containers for solid waste transportation shall be constructed, loaded, transported and unloaded in a safe, sanitary and nuisance-free manner. They shall be cleaned to prevent nuisance, pollution or insect breeding and shall be maintained in good repair. The container, inspection doors and hoppers shall be securely closed, except when the vehicle or container is being inspected, cleaned or stored.

(Ord. passed - -) Penalty, see § 10.99

§ 50.26 ROUTES, DISTRICTS AND TIME.

(A) The County Board, by resolution, may adopt designated routes for transporting solid waste to solid waste management facilities in the county. Vehicles transporting solid waste to these facilities must use the designated routes.

(B) Nothing in this section shall prevent any municipality from establishing solid waste collection districts or routes within its jurisdiction; except that, the districts or routes shall not interfere with the implementation of the county's Solid Waste Management Plan.

(Ord. passed - -)

§ 50.27 PERMITS AND LICENSES FOR COLLECTION AND TRANSPORTATION.

(A) *State rules.* The collection and transportation of solid waste shall be performed in accordance with state laws and rules in addition to the requirements of this chapter.

(B) *Licenses and vehicle permits required.* Any person, firm, corporation or commercial hauler that transports solid waste or source separated materials in the county must annually complete an application for license to collect and haul solid waste for hire within the county on the forms provided by the Solid Waste Administrator or his or her designee for each vehicle used.

(C) *Implied consent.*

(1) The application for and acceptance of a solid waste collection and transportation license in the county is evidence of the licensee's intent to comply with all state, county and federal regulations applicable to the collection, transportation and disposal of solid waste and source separated materials.

(2) By the application for and acceptance of a solid waste collection and transportation license, the licensee consents to allow the county access to all equipment used for collection and transportation for the purpose of inspections for compliance with this chapter. The inspection may be with or without prior notice to the licensee.

(D) *Additional requirements.*

(1) All solid waste collection and transportation license holders are responsible for the collection of waste in a timely manner consistent with this chapter and for the proper transportation and disposal of the solid waste at a properly licensed facility. The licensee is responsible for the service provided pursuant to a contract between the licensee and the purchaser of the service.

(2) All solid waste collection and transportation licensees shall charge for the collection of solid waste within the county so that the charges shall vary with the volume, weight or frequency of the solid waste collected and shall annually provide the Department upon request, written proof of the variable charge rates utilized.

(3) At the discretion of the Department, each solid waste collection and transportation license holder must submit to the Department, no later than February 1 of the year, on forms supplied by the Department, an accurate and current listing of all

business and commercial accounts and waste volumes generated by those accounts. Failure to supply this information or the supplying of intentionally misleading information may be reason for immediate license revocation.

(Ord. passed - -)

§ 50.28 PERMITS AND LICENSES FOR SOLID WASTE FACILITIES.

(A) *License required.* Unless otherwise provided by this chapter, no person shall cause, permit or allow real or personal property under his or her control to be used for the following solid waste management operations unless a license for that purpose has been granted by the county, and a permit obtained from the agency, if required. County licenses shall be required for construction and operation of:

- (1) Transfer stations, including canister sites;
- (2) Mixed municipal solid waste land disposal facility;
- (3) Ash, construction and demolition debris and industrial solid waste land disposal facilities;
- (4) Incinerators with a capacity equal to or greater than 500 pounds per hour;
- (5) Waste tire processing or storage facilities;
- (6) Solid waste processing facilities; and
- (7) Facilities designed to process source separated materials, including, but not limited to, recyclable materials, source separated organic materials and batteries.

(B) *License considerations.* As per M.S. Ch. 400 and 115A, as they may be amended from time to time, the county has adopted a comprehensive Solid Waste Management Plan. Any application for license to operate a solid waste facility in the county will first be evaluated based on whether the need and location of the proposed facility is consistent with the Solid Waste

Management Plan.

(C) *License modifications.* The Board may modify existing licensing requirements due to information indicating that the original permit provisions were based on inadequate or erroneous information. The change in the provision can only be made after advance notification of the licensee.

(D) *License renewal.*

(1) Each license granted by the county under this section shall expire on the conclusion of the December 31 following its issuance, or on the December 31 for a term to be determined by the County Board and specifically stated upon the license.

(2) If the licensed activities have been performed in compliance with this chapter and other applicable laws, and a proper application for renewal has been made with appropriate fees paid, the County Board may issue the renewal license.

(E) *Storage of recovered materials from demolition.* Segregated construction and demolition debris materials may be stockpiled for construction or recycling provided the Department and the agency has authorized the storage. Use of the materials shall comply with other applicable county or state laws and rules.

(F) *Agency permit for disposal of selected construction and demolition debris.*

(1) Construction and demolition debris generated at an individual property may be buried on-site provided a permit is issued by the agency. A record of the burial of waste shall be filed at the office of the County Recorder.

(2) Placement of select construction and demolition debris as fill for a specific land improvement projects may be allowed provided a permit for that debris at that site is obtained from the agency. Type and area filled shall be filed at the office of the County Recorder. The county may limit the amount of construction and demolition debris to be used as fill to an amount less than that allowed in the agency permit, if needed to address public health and safety concerns.

(Ord. passed - -) Penalty, see § 10.99

**§ 50.29 COUNTY-OPERATED FACILITIES
AND PROGRAMS; STATE RULES.**

(A) (1) The provisions of this chapter allow the county, as an owner or operator, to participate in solid waste management activities, operate solid waste management facilities and provide solid waste management services and programs without obtaining a license to do so from itself.

(2) As an operator of a solid waste management facility under the provisions of this

chapter, the County Board may from time to time establish rates or charges for services provided. It may further utilize all of the provisions of this chapter to enforce the payment and collection of those designated changes.

(B) State statutes, rules and federal regulations regarding waste facilities shall apply in addition to the provisions in this chapter.
(Ord. passed - -)

DRAFT

CHAPTER 51: ENHANCED 911

Section

- 51.01 Title
- 51.02 Scope
- 51.03 Legal authority
- 51.04 Purpose
- 51.05 Jurisdiction
- 51.06 Definitions
- 51.07 Implementation and responsibilities
- 51.08 Addressing requirements
- 51.09 Road designations
- 51.10 Naming criteria for E-911 addressing
- 51.11 Numbering criteria for E-911 addressing
- 51.12 Compliance
- 51.13 Controversial or disputed road names
- 51.14 Appeals
- 51.15 Errors
- 51.16 Fees
- 51.99 Penalty

§ 51.03 LEGAL AUTHORITY.

This chapter is enacted pursuant to M.S. §§ 145A.05, subd. 1, and 403.07, as they may be amended from time to time.
(Ord. passed - -)

§ 51.04 PURPOSE.

The purpose of this chapter is to assure that every locatable structure in the unincorporated area of the county is assigned an address that reflects a known location, in order to assist the provision of emergency services to all persons in the county and thereby promote the public's health, safety and general welfare.
(Ord. passed - -)

§ 51.05 JURISDICTION.

The regulations shall apply to the naming of all roads and the addressing of all locatable structures and parcels within the unincorporated areas of the county.
(Ord. passed - -)

§ 51.06 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

§ 51.01 TITLE.

This chapter, from the date of its passing, shall be known as the "Redwood County Enhanced 911 Ordinance".
(Ord. passed - -)

§ 51.02 SCOPE.

This chapter shall be applicable to all property located in the unincorporated areas of the county.
(Ord. passed - -)

AUTOMATIC LOCATION IDENTIFICATION (ALI). The process of locating the origin of calls to an E-911 system by means of a periodically updated database located and maintained by a designated ALI service provider.

E-911 ADDRESS. A unique identifier issued by the county, which meets Enhanced 911 and United States Postal requirements.

EMERGENCY SERVICES. Activities including, but not limited to, fire, ambulance and law enforcement services.

EMERGENCY SERVICE ZONE (ESZ). A specified area served by public or private emergency service agencies.

ENHANCED 911 SERVICE. The use of selective routing, automatic location identification or local location identification as part of local 911 emergency telephone service.

LOCATABLE STRUCTURE. All permanent structures that may require delivery, maintenance or emergency response services including, but not limited to: residential, commercial or industrial buildings; utilities or infrastructure, including, but not limited to, pump or water supply sheds, wind turbines, solar farms, radio or cell towers and the like.

LOCATION. A point on a map which reflects the current county E-911 addressing scheme.

PUBLIC AGENCY. Any unit of local government or special purpose district located in whole or part within the state which provides or has authority to provide fire, police, ambulance, medical or other emergency services.

PUBLIC SAFETY AGENCY. A functional division of a public agency which provides fire, police, medical or other emergency services, or a private entity which provides emergency medical or ambulance services.

PUBLIC SAFETY ANSWERING POINT (PSAP). A communication facility operated on a 24-hour basis which first receives E-911 calls from persons in an E-911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer or relay E-911 calls to appropriate public safety agencies.

ROAD. Any public or privately-owned road which currently accesses, or is platted to access, more than two addressed structures.

ZONING ADMINISTRATOR. The person or designee responsible for implementing, enforcing and maintaining an addressing and road naming standards. (Ord. passed - -)

§ 51.07 IMPLEMENTATION AND RESPONSIBILITIES.

(A) The county's Zoning Administrator or the Zoning Administrator's designee shall have the responsibility of implementing, enforcing and maintaining an addressing and road naming standard, as defined by this chapter.

(B) The property owner is responsible for designation of the access points on the public or private road. The request for addresses to be assigned to access points shall be made on forms provided to the property owner by the Zoning Administrator and the appropriate fee collected. The access point(s) designated by the owner shall be utilized to determine the address of the parcel. The access points are subject to review and approval of the county to ensure that they are accessible to emergency service providers.

(C) Access points to public roads may also be review and approved by the County Highway or Sheriff's Department for safety concerns in conformance with their respective access management, spacing guidelines or work in right-of-way policies. Address signs are not erected until a driveway has been physically established.

(D) The county's Highway Department is responsible for erecting and maintaining E-911 public and private road signs and locatable structure address signs on all public and private roads in the county without regard to the road or land ownership. County E-911 maintenance personnel and authorized signing contractors are hereby authorized reasonable access on all public and private lands to install and maintain the E-911 signage.

(E) For the purpose of addressing, the county's Environmental Services Department will hold and maintain all official data.
(Ord. passed - -)

§ 51.08 ADDRESSING REQUIREMENTS.

(A) *Owner responsibility.* Following adoption of this chapter, every owner of real property in the county shall assure that each locatable structure on his or her property be assigned an E-911 address by the county and that the public safety answering point be provided with all appropriate attribute data for that E-911 address.

(1) Every owner of real property containing a locatable structure, which has been assigned an E-911 address, shall display the number in a location and manner in accordance with the requirements of the county's E-911 Addressing System.

(2) The county shall provide and place address number signs at each E-911 address. The property owners will be responsible to maintain and notify the Zoning Administrator or County Highway Department of damaged, missing or destroyed signs.

(B) *Notice of new construction.* Every owner of real property in the county on which a locatable structure is erected or placed after the effective date of this chapter shall notify the Zoning Administrator of the locatable address structure and obtain an E-911 address to be displayed as required herein.

(C) *Developer responsibility.* The County Board of Commissioners may promulgate reasonable rules to require all plats, planned unit developments (PUDs), or subdivisions to conform to the E-911 addressing requirements and road naming conventions.

(D) *Telephone utility data.*

(1) Following implementation of the county's E-911 System, each public utility providing telephone service shall provide current customer names, service addresses and telephone numbers to each PSAP or designated ALI service provider within the E-911 system and shall update the information periodically as required by M.S. § 403.07, subd. 3, as it may be amended from time to time.

(2) Each telephone utility providing telephone service in the county shall require each owner of a locatable structure in the county who applies for new telephone service installation to provide an E-911 address to the telephone utility provider. The county shall provide the owner and telephone utility with the E-911 address for the location of each new telephone service installation.

(E) *Electric utility data.* Following implementation of the county's E-911 System, each public utility providing electrical service in the county shall require each owner of a locatable structure in the county who applies for new electric service installation to provide an E-911 address to the electrical utility provider. The county shall provide the owner and electric utility with the E-911 address for the location of each new electric service installation.

(Ord. passed - -)

§ 51.09 ROAD DESIGNATIONS.

Designation of roads within the county shall be in accordance with the following guidelines.

(A) All U.S. highways retain their names, as do some major county roads. All streets are given a numeric name and all avenues are given an alpha name.

(B) Grid roads that run west to east are called "streets", and grid roads that run south to north are called "avenues".

(C) A road's numeric value is determined by its distance from the southwest corner of the county. Numeric values increase by one for every tenth of a mile in distance from the southern and western borders of the county. The origin of the road grid in the southwest corner of the county is 100th Street and Acorn Avenue.

(D) Roads that do not fit the grid system are assigned alpha names by the E-911 Committee.

(E) The street type of an alpha named road is determined by the type of road to which it is connected and how it is connected to that road.

(1) **ROAD (RD).** A through road that intersects a U.S. highway, state highway, county road, street or avenue.

(2) **DRIVE (DR).** A dead end road that intersects a U.S. highway, state highway, county road, street or avenue.

(3) **LOOP (LOOP).** A road intersects the same road twice.

(4) **CIRCLE (CIR).** A road that intersects itself.

(5) **TRAIL (TRL).** A road that is only connected to alpha named roads and is not a loop or circle. **TRAILS** run primarily south to north.

(6) **LANE (LN).** A road that is only connected to alpha named roads and is not a loop or circle. **LANES** run primarily west to east.
(Ord. passed - -)

§ 51.10 NAMING CRITERIA FOR E-911 ADDRESSING.

Naming criteria for roads within the county shall be in accordance with the following guidelines.

(A) A road name may not be duplicated with that of any presently represented street, avenue, road, drive, circle, trail or lane within the county. Exceptions may be made if the proposed road is in general alignment with a road, which in all probability will connect, or is a continuation of an existing named road. A separate road name may not be approved for a proposed road if it is a continuation, projection or could be related in any way to the alignment of an existing named road.

(B) Any locatable structure within the county borders shall be addressed using the county's E-911 Addressing and Road Naming System.

(C) All roads or private driveways shall be named and indicated on the official County E-911 Map if they service more than two residential or commercial structures.

(D) Names with similar spellings, pronunciations or meanings may be construed as being duplicate road names.

(E) Road names proposed after the adoption of this chapter shall not exceed 14 characters in length.
(Ord. passed - -)

§ 51.11 NUMBERING CRITERIA FOR E-911 ADDRESSING.

Numbering criteria for roads within the county shall be in accordance with the following guidelines.

(A) Address numbers for individual structures shall be determined and assigned using the county's Addressing System utilizing a Global Positioning System (GPS) to obtain the geographic coordinate location of the structure's driveway. The beginning point of this addressing system is in the southwest corner of the county at 100th Street and Acorn Avenue.

(B) Address numbers shall increase by 1,000 addresses per mile, east and north from the beginning point.

(C) Each road will be designated either an east/west or north/south road. Even numbers will be applied to the south and west sides and odd numbers will be applied to the north and east sides. All address numbers will increase or decrease consecutively according to direction of travel on a road.

(D) The GPS coordinates for each structure shall be taken from the point where the edge of the traveled roadway and the center point of the driveway intersect.

(E) RV parks or campgrounds located within the jurisdiction of this chapter, whose addressing is maintained by the county, shall be addressed using one main address. The park or campground owner shall provide the Zoning Administrator with a detailed drawing of the complex and assign a sequential number to each site.

(F) (1) The Zoning Administrator shall determine which type of addressing shall be used for a mobile home park or resort complex. Mobile home parks or resorts located within a simplistic road structure area, whose addressing is maintained by the county, shall be addressed using one main address. The mobile home park or resort owner shall provide the Zoning Administrator with a detailed drawing of the park or complex and assign a sequential number to each structure and/or site.

(2) Mobile home parks or resorts located within a complex road structure, whose addressing is maintained by the county, shall be individually addressed.

(Ord. passed - -)

§ 51.12 COMPLIANCE.

(A) When any new road is proposed by submission of a subdivision plan, or otherwise proposed by any person, governmental body or department, the proposal shall be referred to the Zoning Administrator to be checked for road name duplication, spelling and conformity with this chapter.

(B) When a final subdivision plat is under review, or whenever a new road is to be established by other means, it shall be the responsibility of the subdivider or person petitioning the road to provide the Zoning Administrator with a copy of the subdivision map depicting the proposed road name and placement to ensure the proposed name meets the 911 addressing requirements and the road can be placed on the official County E-911 Map accurately.

(C) Any person constructing or relocating a locatable structure, whose addressing is maintained by the county, shall obtain an address application from the Zoning Administrator. This form must be filled out in its entirety and submitted to the Zoning Administrator before a valid address may be issued.

(D) No utility operating in the county shall furnish its utility service to any newly built or relocated locatable structure whose addressing is maintained by the county, until a valid locatable address has been issued by the Zoning Administrator.

(E) The resident or caretaker of any locatable structure shall be responsible for keeping the E-911 locatable structure address sign clear of snow, dirt, vegetation, debris or any other obstruction.

(F) No person may alter, deface, change or remove any E-911 locatable structure address sign or road sign erected in accordance with this chapter.

(G) No person may erect or install a street name or E-911 locatable structure address sign not in accordance with this chapter.

(Ord. passed - -) Penalty, see § 51.99

§ 51.13 CONTROVERSIAL OR DISPUTED ROAD NAMES.

The Zoning Administrator shall have the discretion to refer any disputed road name, addressing issues or controversial road names to the Board of County Commissioners for approval or resolution. No controversial or disputed road name issues will be considered for 12 months after the date this chapter is signed.

(Ord. passed - -)

§ 51.14 APPEALS.

(A) Appeals concerning interpretation or administration of this chapter may be filed by any affected person. The appeals shall be filed within a reasonable time of the action being appealed, not to exceed 60 days, by filing with the Zoning Administrator a notice of appeal specifying the grounds of the appeal.

(B) (1) The Zoning Administrator shall transmit to the Board of County Commissioners all information constituting the record upon which the action appealed was taken.

(2) The Zoning Administrator shall schedule the item for a hearing to be commenced within 60 days of filing the notice of appeal and shall give legal public notice thereof, as well as due notice to the parties in interest.

(3) The Board of County Commissioners shall decide the matter within 30 days.
(Ord. passed - -)

§ 51.15 ERRORS.

Administrative procedures are in place to avoid errors in naming and numbering as part of the E-911 Addressing System. It is the policy of the County Board of Commissioners that if errors are made in naming and numbering for locatable structures, the county shall reimburse real property owners for reasonable demonstrable expenses to physically correct personal documents including, but not limited to, new identification/driver's licenses, passports and house letters on a case by case basis.
(Ord. passed - -)

§ 51.16 FEES.

The County Board of Commissioners is hereby authorized to levy and/or set reasonable fees as necessary to maintain the E-911 Addressing System.
(Ord. passed - -)

§ 51.99 PENALTY.

(A) Any person who violates or fails to comply with any of the provisions of this chapter shall be guilty of a petty misdemeanor.

(B) In the event of violation or threatened violation of this chapter, the County Board of Commissioners, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate the violations or threatened violations, and it shall be the duty of the County Attorney to institute the action.
(Ord. passed - -)

RENVILLE COUNTY SOLID WASTE MANAGEMENT

ORDINANCE 2025-01

GENERAL PROVISIONS

§ Section 1: PURPOSE AND INTERPRETATION.

- 1.1 The County Board of Commissioners has determined that this chapter should be adopted to protect the public's health and safety, and the environment and natural resources of the county, from improper management of solid waste, and to:
 - 1.1.1 Preserve and protect the air, land and water resources;
 - 1.1.2 Assure that all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future;
 - 1.1.3 Support activities that will promote use and reuse of materials in solid waste that would otherwise be disposed in ways that would not recapture the useful characteristics of its components;
 - 1.1.4 Augment, supplement and support state policies regarding solid waste management;
 - 1.1.5 Provide for an orderly implementation of solid waste management practices and services to ensure that residents have access to waste management services and to ensure that waste management services are consistent with county and state plans and policies; and
 - 1.1.6 Establish standards and requirements for solid waste management operations within the unincorporated areas (and may require, at its discretion, in incorporated areas) of the county; requiring licenses for storage, collection, transportation, processing and disposal of solid waste in accordance with the county's Solid Waste Management Plan, and promoting the health, safety and welfare of the public pursuant to M.S. Ch. 115, 115A, 116, 375, 400, and §§ 145A.04, 145A.08, 561.01 and 609.74, as they may be amended from time to time.
- 1.2 In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience and general welfare. Where the provisions of this chapter impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this chapter shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this chapter, the provisions of the statute, other ordinance or regulation shall be controlling. §

Section 2: DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- 2.1 **ACCEPTABLE WASTE.** Those solid wastes that are not prohibited from processing or disposal as defined by a solid waste management facility pursuant to local, state and federal laws and the requirements of the facility.
- 2.2 **AGENCY.** The state's Pollution Control Agency, its commissioner or representatives.

- 2.3 **AGRICULTURAL SITE.** Land zoned and/or operated for agricultural purposes, but excludes the residential site on the premises.
- 2.4 **AIR CONTAMINANT.** The presence in the outdoor atmosphere of any dust, fume, mist, smoke, vapor, gas or other gaseous fluid, or particulate substance differing in composition from or exceeding in concentration the natural components of the atmosphere.
- 2.5 **ATTORNEY.** The Renville County Attorney or Legal Representative.
- 2.6 **AUTHORIZED REPRESENTATIVE.** An employee or agent of the Renville/Renville Regional Solid Waste Authority (RRRSWA) including the Solid Waste Administrator.
- 2.7 **AUTO/MACHINERY HULK.** Any material which is or may have been a motorized/operating vehicle or equipment, with or without all component parts, which is no longer self-propelled or capable of carrying persons/property/equipment or itself, upon a public highway and which its material is in such a condition that its highest or primary value is its sale or transfer as parts or scrap metal.
- 2.8 **BALE or BALED MATERIAL.** A large bundle or package prepared for shipping, storage or sale, especially one tightly compressed and secured by wires, hoops, cords or the like, and sometimes having a wrap or cover.
- 2.9 **BLIGHTED PROPERTY.** Any property that endangers the public health safety or welfare in its condition and is a public nuisance, or is a structure or improvement that is beyond repair or unfit for human occupancy or use.
- 2.10 **BRUSH/TREE SITE.** Designated locations, managed and monitored by municipalities where: trees, wood chippings, vegetative brush, lawn clippings and leaves can be disposed of. See **YARD WASTE**.
- 2.11 **BUILDING.** Any structure either temporary or permanent having a roof which is used or intended to provide shelter or enclosure of persons, animals, chattel, goods (agricultural, commercial, private) or property of any kind, and when said structures are divided by party walls without openings, each portion of such building so separate shall be deemed a separate building.
- 2.12 **BUSINESS.** An operation, location or property where an activity other than residential or an activity in conjunction with a residence takes place for the purpose of selling a product, service, commodity or recreational activity in which the sale of the product, service, commodity or recreational activity is either advertised or known to be for sale.
- 2.13 **CABIN.** A structure used seasonally or intermittently as a single-family dwelling.
- 2.14 **CART.** A vessel typically made from plastic and designed with the intention to store a lesser volume (35, 65 or 95 gallons) of material such as: mixed municipal solid waste (MSW), recyclable materials and/or sources separated materials for short term storage and subsequent transfer for proper management.
- 2.15 **CONTAINER.** A vessel typically made of steel and/or dense plastic and designed with the intention to store a large volume (1.5 to -50 cubic yards of materials) and designed to accept mixed municipal solid waste (MSW), recyclable materials and/or source separated materials for short-term storage and subsequent transfer for proper management.
- 2.16 **CERTIFICATE OF NEED (CON).** An issuance from the state to certify needed disposal capacity.
- 2.17 **CHARGE.** A solid waste management charge.

- 2.18 **CITY.** A statutory or home rule charter city or town located within the county.
- 2.19 **CLOSURE.** Actions to prevent or minimize the threat to public health and the environment posed by a facility that no longer accepts the solid waste for which it operated or was permitted, including the removal of contaminated equipment, the removal of liners, applying final cover, grading and seeding final cover, installation of monitoring devices, construction of ground and surface water diversion structures and gas control systems as necessary.
- 2.20 **COLLECTION.** The aggregation of solid waste from the place at which it is generated and includes all activities up to the time the solid waste is delivered to a solid waste management facility.
- 2.21 **COMMERCIAL HAULER.** Any person who owns, operates or leases vehicles for the purpose of collection or transporting solid waste or source separated materials from residential, commercial or industrial property.
- 2.22 **COMMERCIAL BUILDING.** Any business, commercial, industrial, institutional or governmental establishment. These include home-operated businesses, industries, commercial and institutional enterprises and such non-residential institutions as churches, nursing homes, non-profit associations, schools and the like. If a site has dwelling units, but also has one or more units not used for dwelling purposes, such as a store or a restaurant, then it is considered a **COMMERCIAL BUILDING**.
- 2.23 **COMPACTED MATERIAL.** The practice of exerting force or pressure on materials to compress or densify them to occupy a smaller space.
- 2.24 **COMPOST/COMPOSTING.** The controlled microbial process that converts organic, plant or animal materials to a usable organic soil amendment mulch. **ANIMAL COMPOST MATERIAL** is defined and regulated by the state's Department of Agriculture.
- 2.25 **COMPOST FACILITY.** A site used to compost or co-compost solid waste, including all structures or processing equipment used to control drainage, collect and treat leachate and storage areas for the incoming waste, the final product and residuals resulting from the composting process.
- 2.26 **CONSTRUCTION AND DEMOLITION DEBRIS.**
- 2.26.1 Solid waste resulting from construction, remodeling, repair, erection and demolition of buildings, roads and other artificial structures, including: concrete; brick; bituminous concrete; untreated wood; masonry; glass; trees; rock; plastic building parts; plumbing fixtures; roofing materials; wallboard; and built-in cabinetry.
- 2.26.2 **CONSTRUCTION AND DEMOLITION DEBRIS** does not include: asbestos waste; auto glass; wood treated with chemical preservatives; furniture; lighting equipment; vermiculite; contaminated soil; firebrick; food waste; machinery; engine parts; liquid paints; paint thinners or solvents; varnishes; street sweepings; tar; carpet/padding if not affixed to a structure; mattresses; adhesives, caulking, sealants and applicators, brushes, containers, tubes, filters contaminated with these materials; sandblasting materials; agricultural chemicals or containers (including empty pesticide, herbicide, and insecticide containers); chemical containers; animal carcasses, parts or rendering and slaughterhouse wastes; appliances (including white goods and brown goods); ashes or hot wastes that could spontaneously combust or ignite other wastes due to high temperatures; ash from incinerators, resource recovery facilities and power plants; batteries; carbon filters; fluorescent tubes and ballasts; high-intensity discharge lamps;

foundry wastes; hazardous waste; household refuse or garbage; infectious waste; liquids (any type), liquid non-hazardous materials; medical waste; mercury containing wastes (thermostats, switches); PCB contaminated wastes; petroleum products and their containers or filters (including oil, grease or fuel); radioactive waste (unless natural materials at normal background levels); septic tank pumpings; sludges (including ink, lime, wood, sewage or paper); live coal tar (including applicators, containers and tubes); waste tires; vehicles; yard waste; and packaging materials, including cardboard, paper, shrink-wrap and Styrofoam. Mixtures of construction and demolition debris with other solid waste is not *CONSTRUCTION AND DEMOLITION DEBRIS*.

- 2.27 *CONSTRUCTION AND DEMOLITION DEBRIS LAND DISPOSAL FACILITY*. A site used to dispose of construction and demolition debris.
- 2.28 *COUNTY*. Any department or representative of Renville County who is authorized by this chapter or otherwise by the County Board to represent the county in the administration or enforcement of this chapter.
- 2.29 *COUNTY OF RENVILLE*. Renville County, Minnesota
- 2.30 *COUNTY BOARD*. The Renville County Board of Commissioners.
- 2.31 *COVER*. Cover material that is periodically spread and compacted on the top and side slopes of compacted solid waste to control fire, infiltration and erosion.
- 2.32 *COVER MATERIAL*. Material approved by the Agency and Solid Waste Department that is used to cover compacted solid waste in a land disposal site.
- 2.33 *CURBSIDE COLLECTION*. A mixed municipal solid waste, yard waste and/or recyclable materials collection system whereby the generators set solid waste containers at the curb adjacent to a roadway or, where this is not practical, in locations easily accessible for collection by a hauler.
- 2.34 *DEPARTMENT*. The county's Solid Waste Department and the Redwood/Renville Regional Solid Waste Authority (RRRSWA).
- 2.35 *DISPOSAL/DISPOSE*. The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharge into any waters, including ground water.
- 2.36 *DUMP*. The intentional or accidental discharge, deposit, injection, spilling, leaking or placing of any solid waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any water, including ground water.
- 2.37 *DUMPING*. The illegal placement of any solid waste, including, but not limited to: construction and demolition debris, hazardous waste, industrial solid waste, mixed municipal solid waste (MSW), recyclable materials or any problem materials such as: tires, appliances, or electronics. Illegal disposal is prohibited anywhere other than in an approved container, or at a solid waste management facility, organized collection, or business that accepts such materials, during hours of operation.
- 2.38 *ELECTRONICS*. Any device that relies on an electronic circuit and/or components to perform its functions, whether it is powered through an electrical cord or battery.

- 2.39 *ENVIRONMENTAL ASSESSMENT.* See *SOLID WASTE ASSESSMENT.*
- 2.40 *FACILITY.* All contiguous land, structures, monitoring devices and other improvements on the land used for monitoring, treating, storing or disposing of solid waste, leachate or residuals from solid waste processing.
- 2.41 *FINANCIAL ASSURANCE.* Monetary mechanisms that are used to assure proper closure, post closure care and contingency action at a site or solid waste management facility.
- 2.42 *FLOODPLAIN.* The area adjoining a water course or water basin that has been or may be covered by a regional flood, as defined in M.S. Ch. 103F, as it may be amended from time to time.
- 2.43 *GARBAGE.* Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.
- 2.44 *GENERATOR.* Any person or business that produces solid waste that includes all items from homes and businesses that property owners no longer have any use for. These wastes are commonly called trash or garbage and include items such as: goods, paper, plastic, textiles, leather, wood, glass metals, sanitary wastes in septic tanks, and other wastes.
- 2.45 *GROUND WATER.* Has the meaning given for “underground water” in Minnesota Rule 7060.0300.
- 2.46 *HABITABLE.* Suitable to either be lived in or be worked in.
- 2.47 *HAULER.* Any person or company that provides transportation of goods or materials, including: demolition debris, municipal solid waste or source separated materials by road,
- 2.48 *HAULER SERVICES.* The mixed municipal solid waste services provided by a hauler or self-hauler.
- 2.49 *HAZARDOUS WASTE.*
- 2.49.1 Any refuse, sludge or other waste material or combinations or refuse, sludge or other waste materials in solid, semi-solid, liquid or contained gaseous form which because of its quantity, concentration or chemical, physical or infectious characteristics may:
 - 2.49.1a Cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or
 - 2.49.1b Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.
 - 2.49.2 Categories of *HAZARDOUS WASTE MATERIALS* include, but are not limited to: explosives; flammables and flammable liquids, solids or gasses; combustible solids, radioactive materials, etiologic agents, chemical or biological substances, oxidizers; poisons; irritants; and corrosives.
- 2.50 *HOUSEHOLD.* A single detached dwelling unit or a single unit of a multiple dwelling unit and appurtenant structures.
- 2.51 *HOUSEHOLD HAZARDOUS WASTE FACILITY.* A permanent or temporary designated location with

scheduled hours for collection where individuals may bring household hazardous waste.

- 2.52 **HOUSEHOLD HAZARDOUS WASTE.** Waste generated from household activity that exhibits the characteristics of or that is listed as hazardous waste under agency rules, that does not include waste from commercial activities that is generated, stored or present in a household.
- 2.53 **IMMINENT HAZARD.** An actual or potential immediate threat to the health, safety or well-being of humans or livestock, or that may cause environmental degradation.
- 2.54 **INCINERATION.** The process of burning wastes for the purpose of volume and weight reduction or energy recovery in facilities designed for the use.
- 2.55 **INDUSTRIAL SOLID WASTE.** Solid waste generated from an industrial or manufacturing process and solid waste generated from non-manufacturing activities that is collected, processed or disposed of as a separate waste stream. **INDUSTRIAL SOLID WASTE** does not include office materials, restaurant and food preparation waste, discarded machinery, construction and demolition debris, mixed municipal solid waste or mixed municipal solid waste combustor ash.
- 2.56 **INDUSTRIAL SOLID WASTE LAND DISPOSAL FACILITY.** A site used to dispose of industrial solid waste in or on the land.
- 2.57 **LANDFILL – SANITARY LANDFILL.** Means an area of land which is used for the disposal of municipal solid waste (MSW) including: Garbage, refuse, and other discarded solid waste materials resulting from residential, commercial, industrial (limited) and community activities.
- 2.58 **LEACHATE.** Liquid that has percolated through refuse, ash or other solid waste and may have extracted, dissolved or suspended materials from it.
- 2.59 **LEACHATE MANAGEMENT SYSTEM.** The structures constructed and operated to contain, transport and treat leachate, including liners, collection pipes, detection systems, holding areas and treatment facilities.
- 2.60 **LEAK-PROOF.** A container or enclosure that is constructed in a manner that it will not allow its contents to spill out without being opened and physically discharging the contents.
- 2.61 **LICENSE.** Authorization by the County Board to conduct business services that may be limited to a specific period of time, specific person and or a specific site in the county.
- 2.62 **LICENSEE.** A person who has been issued a license by the County Board for solid waste management purposes pursuant to this chapter.
- 2.63 **MAJOR APPLIANCE.** Clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, freezers and other appliances designated by state law or this chapter.

- 2.64 **MEDICAL WASTE.** Biological waste originating from the diagnosis, care or treatment of a person or animal, or waste resulting from biological research, whether or not the waste has been rendered non-infectious.
- 2.65 **MIXED MUNICIPAL SOLID WASTE (MSW).**
- 2.65.1 Garbage, refuse and other solid waste from residential, non-residential, industrial and community activities that the generator of the waste aggregates for collection, except as provided in division (2) below; and
- 2.65.2 **MIXED MUNICIPAL SOLID WASTE** does not include auto hulks, street sweepings, ash, construction and demolition debris, mining waste, sludges, municipal treatment waste, animals or animal: blood, entrails, carcasses, or animal manure, tree wastes, electronics or appliances, waste tires, lead acid batteries, motor and vehicle fluids and filters, and other prohibited materials collected, processed and disposed of as separate waste streams.
- 2.66 **MIXED MUNICIPAL SOLID WASTE LAND DISPOSAL FACILITY.** A State approved solid waste disposal facility used for mixed municipal solid waste.
- 2.67 **MIXED MUNICIPAL SOLID WASTE SERVICES.** Collection, transportation, processing or disposal of mixed municipal solid waste generated in the county, including, but not limited to, regularly scheduled service, on-call service, one-time service, rental and other use of equipment such as solid waste containers, compactors, compactor boxes and the like, and any other service that involves or facilitates collection, transportation, processing or disposal of solid waste materials as mixed municipal solid waste. It does not include the sale of equipment used for the collection, transportation, processing or disposal of mixed municipal solid waste. It does not include collection, transportation or management of recyclable materials, yard waste, food waste, source separated compostable materials, problem materials or other waste materials when these materials are segregated by the generator for the purpose of recycling or composting and are delivered to a recycling facility or compost facility, or the sale, rental or other use of equipment necessary to facilitate collection, transportation or management of these materials.
- 2.68 **MONITORING POINT.** Any installation used to determine the quality or physical characteristics of ground water, surface water, water in the unsaturated zone or presence of air contaminants.
- 2.69 **MPCA.** The Minnesota Pollution Control Agency.
- 2.70 **MUNICIPALITY.** A city, village, borough, county, town, sanitary district, school district or other governmental subdivision or public corporation, or agency created by the state legislature. In Renville County, the recreation area of Lake Allie is considered a municipality in the Ordinance of Solid Waste Management.
- 2.71 **NON-RESIDENTIAL ACCOUNTS.** Solid waste management services provided to any non-residential building or parcel.
- 2.72 **NON-RESIDENTIAL PROPERTY.** All property that generates waste within the county that is not defined as a residential property as determined by the county.
- 2.73 **NON-RESIDENTIAL RATE.** The rate of the fee imposed on any person who pays for mixed municipal solid waste services for mixed municipal solid waste generated from any source in the county

other than a residential building.

- 2.74 **OPEN AREA.** Any lands excluding enclosed structures.
- 2.75 **OPEN BURNING.** Burning any material whereby the resultant combustion products are emitted directly to the open atmosphere without passing through a stack, duct or chimney which is designed to remove certain pollutants and which is approved for such purposes.
- 2.76 **OPERATING LICENSE.** The license required by this chapter.
- 2.77 **OPERATION.** Any site, facility or activity relating to solid waste management.
- 2.78 **OPERATOR.** The person responsible for the overall operation of a solid waste facility.
- 2.79 **ORDINANCE.** The Renville County Solid Waste Ordinance.
- 2.80 **OWNER.** The person or persons who own a facility, part of a facility or the property.
- 2.81 **PENALTY.** A punishment imposed for breaking a law, rule or contract.

(1) **ENFORCEMENT**

- (2) Any person, firm, or corporation who violates any of the provisions of this Ordinance, or who fails, neglects, or refuses to comply with the provisions of this Ordinance, or who knowingly makes any false statements in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$1,000 or by imprisonment not to exceed ninety (90) days or both. Each day that a violation continues shall constitute a separate offense.
- (3) No person shall willfully oppose, interfere with, or obstruct a County employee charged with the enforcement of this Ordinance during performance of any legal duty.
- (4) All rights and remedies accruing to the County under this Ordinance, whether at law or in equity, are deemed cumulative and may be pursued independently or in conjunction with one another with such frequency and in such manner as the County, in its sole discretion, deems necessary to accomplish the purpose of this Ordinance.
- (5) In the event of a violation or threatened violation of this Ordinance, the County Attorney is empowered and directed to take appropriate action to enforce this Ordinance including application of injunctive relief, action to compel performance, or other appropriate action in court, if necessary, to prevent, restrain, correct, or abate such violations or threatened violations.
- 2.82 **PERSON.** A human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association or other organization, any receiver, trustee, assignee, agent or other legal representative of any of the foregoing, or any other legal entity.
- 2.83 **PUTRESCIBLE WASTE.** Means solid waste which is capable of becoming rotten or which may reach a foul state of decay or decomposition.

- 2.84 **PROBLEM MATERIAL.** A material that, when processed or disposed of with mixed municipal solid waste, contributes to one of the following results:
- 2.84.1 The release of a hazardous substance, pollutant or contaminant, as defined in M.S. § 115B.02, as it may be amended from time to time;
 - 2.84.2 Pollution of water, as defined in M.S. § 115.01, as it may be amended from time to time;
 - 2.84.3 Air pollution as defined in M.S. § 116.06, as it may be amended from time to time; or
 - 2.84.4 A significant threat to the safe or efficient operation of a solid waste management facility.
- 2.85 **PROCESSING.** The treatment of solid waste or source separated materials after collection and before final disposal. **PROCESSING** includes, but is not limited to, volume reduction, storage, separation, exchange, resource recovery, physical, chemical or biological modifications.
- 2.86 **REAL PROPERTY.**
- 2.86.1 For the purposes of taxation, **REAL PROPERTY** includes the land itself, rails, ties and other track materials annexed to the land, and all buildings, structures and improvements or other fixtures on it, bridges of bridge companies and all rights and privileges belonging or appertaining to the land, and all mines, iron ore and taconite minerals not otherwise exempt, quarries, fossils and trees on or under it.
 - 2.86.2 A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure.
 - 2.86.3 **REAL PROPERTY** does not include:
 - 2.86.3a Tools, implements, machinery, and equipment attached to or installed in real property for use in the business or production activity conducted thereon, regardless of size, weight or method of attachment and mine shafts, tunnels and other underground openings used to extract ores and minerals taxed under M.S. Ch. 298 together with steel, concrete and other materials used to support the openings;
 - 2.86.3b The exclusion provided in division (3)(a) above shall not apply to machinery and equipment includable as real estate by divisions (1) and (2) above, even though the machinery and equipment is used in the business or production activity conducted on the **REAL PROPERTY** if and to the extent the business or production activity consists of furnishing services or products to other buildings or structures which are subject to taxation under this chapter; and
 - 2.86.3c The exclusion provided in division (3)(a) above does not apply to the exterior shell of a structure, which constitutes walls, ceilings, roofs or floors if the shell of the structure has structural, insulation or temperature control functions or provides protection from the elements. Such an exterior shell is included in

the definition of *REAL PROPERTY* even if it also has special functions distinct from that of a building.

- 2.86.4 *The term REAL PROPERTY does not include tools, implements, machinery, equipment, poles, lines, cables, wires, conduit and station connections which are part of a telephone communications system, regardless of attachment to or installation in REAL PROPERTY and regardless of size, weight or method of attachment or installation. (M.S. § 272.03, subd. 1)*
- 2.87 **RECOVERED MATERIALS.** Materials that have been separated from solid waste and stored so that the material is properly protected from environmental degradation and is not a source of odor, harborage for animals or insects and is being processed, modified or converted to be a raw material that may be beneficially used.
- 2.88 **RECYCLABLE MATERIALS.** Materials such as corrugated cardboard, office paper, newsprint, glass containers, tin containers, aluminum containers, polyethylene terephthalate and high-density polyethylene plastic, that are separated from solid waste for the purpose of recycling. These materials are considered to be recyclable materials if environmentally and economically appropriate markets exist that will accept these recyclable materials. Refuse-derived fuel or other material that is destroyed by incineration is not **RECYCLABLE MATERIAL**. Source separated compostable materials are **RECYCLABLE MATERIALS**.
- 2.89 **RECYCLING.** The process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.
- 2.90 **RECYCLING FACILITY.** A facility used to aggregate, process or market recyclable materials. **RECYCLING FACILITY** does not include an individual generator of recyclable materials, such as a homeowner or business and it does not include a manufacturer using recyclable materials as feedstock.
- 2.91 **REFUSE.** Putrescible and non-putrescible solid waste, including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings and commercial and industrial solid waste, and including municipal treatment wastes which do not contain free moisture.
- 2.92 **RELEASE.** Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment which occurred at a point in time or which continues to occur. **RELEASE** does not include:
- 2.92.1 Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft or pipeline pumping station engine;
- 2.92.2 Release of source, by-product or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, under 42 U.S.C. § 2014, if the **RELEASE** is subject to requirements with respect to financial protection established by the Federal Nuclear Regulatory Commission under 42 U.S.C. § 2210;
- 2.92.3 Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, being 42 U.S.C. § 7901 et seq., under 42 U.S.C. §§ 7912(a)(1) or 7942(a); or

- 2.92.4 Any *RELEASE* resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in M.S. § 18B.01, subd. 18, as it may be amended from time to time.
- 2.93 *RESIDENTIAL BUILDING*. A single-family home, a duplex, a triplex, a fourplex, an apartment building, a mobile home, a condominium, a townhouse, a cooperative housing unit or any other residential building as determined by the county.
- 2.94 *RESIDENTIAL PROPERTY*. Property on which a single-family home, a duplex, a triplex, a fourplex, an apartment building, a mobile home, a condominium, a townhouse, a cooperative housing unit or any other residential building as determined by the county is located.
- 2.95 *RESIDENTIAL PROPERTY SEASONAL*. Property of which the usage is temporary in nature such as: a lake home, seasonal cabin, cottage, hunting shack, recreational vehicle, camper and alike.
- 2.96 *REUSE*. In the context of this chapter, the process of making further use of a material or product after it has been utilized for its original designed purpose and before it is recycled or disposed of.
- 2.97 *RUBBISH*. Non-putrescible solid waste, including ashes, consisting of both combustible and non-combustible waste, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery or litter of any kind.
- 2.98 *RURAL (TOWNSHIP) RECYCLING AND/OR MSW SITE*. Identifiable sites established for rural township residents to deposit either/or a combination of recyclable materials and/or MSW. These sites are typically located in rural areas or other designated locations within municipalities where the materials are deposited by residents and later collected on a weekly or bi-weekly basis.
- 2.99 *RRRSWA*. The Redwood-Renville Regional Solid Waste Authority.
- 2.100 *RRRMRF*. The Redwood-Renville Regional Material Recovery and Transfer Facility
- 2.101 *SCAVENGING*. All unauthorized removal of waste and separated materials from solid waste.
- 2.102 *SELF-HAULER*. A generator who does not contract with a commercial hauler, but instead collects and transports its own solid waste. A *SELF-HAULER* shall not provide collection and transportation services to someone else for compensation.
- 2.103 *SERVICE AREA*. The spatial location of a proposed or actual solid waste management activity or solid waste management facility.
- 2.104 *SEWAGE SLUDGE*. The solids and associated liquids in municipal wastewater which are encountered and concentrated by a municipal wastewater treatment plant. *SEWAGE SLUDGE* does not include incinerator residues and grit, scum or screenings removed from other solids during treatment.
- 2.105 *SHORELAND*. Land located within the following distances from the ordinary high-water elevation of public waters:
- 2.105.1 Land within 1,000 feet of a lake, pond, reservoir, impoundment or flowage; and
- 2.105.2 Land within 300 feet of a river or stream or the landward extent of a floodplain

designated by ordinance, whichever is greater.

- 2.106 *SINGLE-FAMILY DWELLING*. See *RESIDENTIAL BUILDING*.
- 2.107 *SINGLE-STREAM/SORT (FULLY CO-MINGLED) RECYCLING*. A system in which all paper fiber, plastics, metals and glass are mixed together in a container/vehicle instead of being sorted by the depositor into separate commodities and handled separately through the collection process.
- 2.108 *SOLID WASTE*. Garbage, refuse, construction and demolition debris, sludge from a water supply treatment plant or air contaminant treatment facility and other discarded waste materials and sludge, in solid, semi-solid, liquid or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations and from community activities. It does not include hazardous waste, animal waste used as fertilizer, earthen fill, boulders, rock, sewage sludge, solids or dissolved material in domestic sewage or dissolved materials in irrigation return flows or other common pollutants in waste resources, such as silt. It does not include dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under § 402 of the Federal Water Pollution Control Act, as amended. It also does not include source, special nuclear or by-product materials as defined by the Atomic Energy Act of 1954, being 42 U.S.C. § 2011 et seq., as amended.
- 2.109 *SOLID WASTE ADMINISTRATOR*. The individual assigned by the county to oversee and direct solid waste management activities for the county.
- 2.110 *SOLID WASTE ASSESSMENT/ENVIRONMENTAL ASSESSMENT/RRRSWA ASSESSMENT*. A specific charge assessed for solid waste management services. The Assessment Fee is based on a property's classification and value as determined by the County Assessor. The assessment fee schedule shall be recommended by the Redwood-Renville Regional Solid Waste Authority (RRRSWA) Board and adopted by Resolution of the County Board.
- 2.111 *SOLID WASTE COLLECTION*. The gathering of solid waste from public or private places.
- 2.112 *SOLID WASTE FACILITY*. All property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste. It includes, but is not limited to, the storage, collection, transportation, processing and reuse, conversion or disposal of solid waste in a safe environmentally sound manner; but does not include collection vehicles.
- 2.113 *SOLID WASTE LAND DISPOSAL FACILITY*. A solid waste land disposal facility permitted by the agency that is designed or operated for the purpose of disposing of solid waste on or in the land, together with any appurtenant facilities.
- 2.114 *SOLID WASTE MANAGEMENT ACTIVITY*. An activity related to the generation, storage, collection, transportation, processing or reuse, conversion or disposal of solid waste.
- 2.115 *SOLID WASTE MANAGEMENT FACILITY*. A solid waste land disposal facility, a construction and demolition debris land disposal facility, an industrial solid waste land disposal facility, a compost facility, a transfer station, a solid waste processing facility, a waste tire facility, a waste tire collection site, a waste tire processing facility or a recycling facility.
- 2.116 *SOLID WASTE MANAGEMENT PLAN*. The county solid waste management plan developed, adopted and approved as per M.S. § 115A.46, as it may be amended from time to time. The 12

COUNTY SOLID WASTE MANAGEMENT PLAN is an organized partnership of twelve counties located in the southwest region of Minnesota. The Southwest Regional Solid Waste Commission (SWRSWC), is a Joint Powers Organization, that oversees solid waste planning and activities in the southwest region. The 12 County Solid Waste Management Plan, or any solid waste policy plan is developed regionally by the 12 county solid waste administrators and presented to the SWRSWC, who provide a recommendation to the regional county boards. Ultimately, the 12-county solid waste plan is approved by the County Board of Commissioners.

- 2.117 *SOLID WASTE MANAGEMENT SERVICE CHARGE*. A service charge imposed pursuant to M.S. § 400.08, as it may be amended from time to time.
- 2.118 *SOLID WASTE MANAGEMENT SERVICES*. All activities provided by the county, by persons under contract with the county, or by other persons that support the waste management responsibilities described in M.S. Ch. 115A, 116 and 400, as they may be amended from time to time, including, but not limited to: waste management information and education; waste reduction and reuse; waste recycling; composting of yard waste and food waste; resource recovery through mixed municipal solid waste composting or incineration; land disposal; management of problem materials and household hazardous waste; collection, processing and disposal of solid waste; closure and post-closure care of a solid waste management facility; and response, as defined in M.S. § 115B.02, as it may be amended from time to time, to releases from a solid waste management facility.
- 2.119 *SOLID WASTE ORDINANCE*. The county's solid waste management ordinance(s) adopted by the County Board and as amended or supplemented from time to time.
- 2.120 *SOLID WASTE PROCESSING FACILITY*. A facility for the processing of solid waste.
- 2.121 *SOLID WASTE REDUCTION; SOURCE REDUCTION*. An activity that reduces generation of solid waste or the inclusion of toxic materials in solid waste, including:
- 2.121.1 Reusing a product in its original form;
 - 2.121.2 Increasing the life span of a product;
 - 2.121.3 Reducing material or the toxicity of material used in production or packaging; or
 - 2.121.4 Changing procurement, consumption or solid waste generation habits to result in smaller quantities or lower toxicity of solid waste generated.
- 2.122 *SOLID WASTE STORAGE*. The holding of solid waste near the point of generation.
- 2.123 *SOLID WASTE SUBCOMMITTEE*. One or two County Board Commissioners, the Solid Waste Administrator, authorized representative(s), county employees and/or residents assembled to make recommendations to the Renville County Board
- 2.124 *SOLID WASTE TRANSPORTATION*. The conveying of solid waste from one place to another, by means of vehicle, rail car, water vessel, conveyor or other means.
- 2.125 *SOURCE-SEPARATED MATERIALS*. Materials that are separated from solid waste by the generator. *SOURCE-SEPARATED MATERIALS* include, but are not limited to, recyclable materials, vegetative materials recovered for composting and organic waste.

2.126 *SOURCE SEPARATED ORGANIC MATERIALS*. Materials that:

2.126.1 Are separated at the source by waste generators for the purpose of preparing them for reuse as compost or other processing;

2.126.2 Are collected separately from mixed municipal solid waste; and

2.126.3 Are comprised of organic waste, including, but not limited to:

2.126.3a Yard and landscaping debris, including floral trimmings, tree trimmings, leaves, grass, brush and weeds;

2.126.3b Food waste, including organic residues generated by handling, storage, sale, preparation, cooking and serving of foods including fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bakery items, cheese, egg shells and coffee grounds; and

2.126.3c Paper fibers, waxed cardboard, napkins, paper towels, uncoated paper plates, tea bags, coffee filters, wood crates and greasy pizza boxes.

2.127 *SOURCE SEPARATED RECYCLABLE MATERIAL*. Recyclable materials separated by the generator prior to collection for recycling.

2.128 *STATE*. The State of Minnesota.

2.129 *TIPPING FEE*. The fee at a waste facility for waste delivered to that facility based upon the weight, volume, character or type of waste.

2.130 *TIRE*. A pneumatic tire or solid tire for motor vehicles or other vehicle as defined in state statutes.

2.131 *TIRE COLLECTOR*. A person who owns or operates a site used for storage, collection or deposit of more than 50 waste tires.

2.132 *TIRE PROCESSING*. Producing or manufacturing usable materials, including fuel, from waste tires including necessary incidental temporary storage activity.

2.133 *TIRE PROCESSOR*. A person engaged in the processing of waste tires.

2.134 *TRANSFER FACILITY* or *TRANSFER STATION*. A facility at which solid waste is concentrated for subsequent transport. A *TRANSFER FACILITY* may be fixed or mobile.

2.135 *TRANSPORTATION*. The conveying of solid waste or recyclable materials from one place to another.

2.136 *UNACCEPTABLE WASTE*. Those solid wastes which cannot be accepted for processing or disposal as defined by a facility pursuant to local, state and federal laws or permits.

2.137 *VIOLATION*. The act of doing something that is not allowed by a law or rule.

2.138 *WASTE PROCESSING*. The treatment of solid waste after collection and before disposal.

PROCESSING includes, but is not limited to, volume reduction, storage, separation, exchange, recovery of energy and resources, physical, chemical or biological modification and the operations of a metal recycling or salvage facility.

- 2.139 *WASTE TIRE*. A tire that is no longer suitable for its original intended purpose because of wear, damage or defect.
- 2.140 *WASTE TIRE COLLECTION SITE*. A county-licensed and agency permitted site or a site exempt from the license or permit, used for the collection and storage of waste tires.
- 2.141 *WASTE TIRE DUMP*. An unlicensed, unpermitted site being maintained, operated, used or allowed to be used for the collection, storage, keeping or depositing of unprocessed waste tires.
- 2.142 *WASTE TIRE FACILITY*. A site where more than 50 waste tires or an equivalent amount of tire derived products are collected, deposited, stored or processed. The incidental storage of tire-derived products at the site of final use does not make the site a *WASTE TIRE FACILITY*.
- 2.143 *WASTE TIRE PROCESSING FACILITY*. A licensed solid waste management facility used for the shredding, slicing, producing or manufacturing of usable materials, including fuel, from waste tires including incidental temporary storage activity. *PROCESSING* does not include the retreading of waste tires.
- 2.144 *WETLAND*. A natural marsh where water stands near, at or above the soil surface during a significant portion of most years, and which is eligible for classification as an inland fresh water wetland Type 3, 4 or 5 under U.S. Department of Interior classification.
- 2.145 *YARD WASTE*. The garden wastes, leaves, lawn cuttings, weeds and pruning's generated at residential or commercial properties. (See *BRUSH SITE*.)

Section 3: RESPONSIBILITIES.

- 3.1 The County Board and the appointed Solid Waste Officer/RRRSWA Executive Director shall be responsible for general administration and enforcement of this chapter. Duties shall include, but are not limited to: producing the reports made to the agency; responsibility for carrying out the rules and regulations set forth by the agency; responsibility for the collection of any charges as set by the County and for the enforcement of this ordinance; review and consider all license applications and supporting materials which are referred to for the operations within the county; inspect operations to determine compliance with this Ordinance; investigate complaints about the violations of this Ordinance; recommend to the County Attorney (or legal representative) that legal proceedings be initiated against a person to compel compliance with the provisions of this Ordinance or to abate or control an operation not in compliance with this Ordinance.
- 3.2 The county shall inspect operations to determine compliance, issue licenses and permits, notices of violation and notice of suspension or revocation of licenses and permits; make required reports, investigate complaints about violations, and make the County Attorney aware of the violations; and keep proper records of all transactions conducted under this chapter.
- 3.3 The county shall require that any data received by the county or any entity acting on behalf of the county shall be maintained in accordance with the provisions of the Minnesota Government Data Practices Act, M.S. Ch. 13, as it may be amended from time to time.

- 3.4 Pursuant to M.S. § 115A.94, as it may be amended from time to time, the county may mandate that all cities and towns participate in solid waste management activities by:
- 3.4.1 Providing the residents of the political subdivision with a mixed municipal solid waste collection method (i.e., contracted collection services, canister sites and collection services); and
 - 3.4.2 Provide the residents of the political subdivision with a recycling alternative through a redemption center, drop-off center or other collection methods.
- 3.5 Pursuant to M.S. Ch. 115A, 116 and 400, as they may be amended from time to time, and the county's Solid Waste Management Plan, the county has implemented a system of solid waste management that includes readily accessible solid waste collection and disposal services. The services are available county-wide through a system of licensed private and municipal haulers, as well as through readily accessible drop-off facilities.
- 3.6 Pursuant to M.S. § 400.08, subd. 2, as it may be amended from time to time, the county establishes one solid waste management service area, with its boundaries being coterminous with the boundaries of the county.
- 3.7 Pursuant to M.S. § 115A.46, subd. 5, as it may be amended from time to time, a public entity within the county may not enter into a binding agreement, nor develop, nor undertake, a solid waste management activity that is inconsistent with the county's Solid Waste Management Plan without the express consent of the county.
- 3.8 Any use of land for solid waste management activities within the county shall comply with the zoning requirements of Ch. 2 of the Renville County Land Use Ordinance, if applicable, or the requirements of municipal land use ordinances, if applicable.
- 3.9 To the fullest extent permitted by law, a licensee shall indemnify the county and RRRSWA, its officers, employees, agents and others acting on their behalf, to hold them harmless, and to defend and protect them, from and against any and all loss, damage, liability, cost and expense (specifically including reasonable attorneys' fees and other costs and expenses of defense), of any sort whatsoever, based upon, resulting from or otherwise arising in connection with any actions, claims or proceedings (of any sort and from any source whatsoever) brought, or any loss, damage or injury of any type whatsoever sustained, by reason of any act or omission of a licensee, its officers, employees or agents, or any other person(s) or entity(ies) for whose acts or omissions a licensee may be legally responsible, in the performance of any of a licensee's obligations (whether expressed or implied) under this chapter.

Section 4: UNLAWFUL ACTIVITIES.

- 4.1 *Improper transportation.* It shall be unlawful for any person to:
- 4.1.1 To collect and transport, for compensation, solid waste or source separated materials within the service area, without having obtained a license to do so, or when the license has been revoked or suspended, unless as transported by a self-hauler;
 - 4.1.2 To collect or transport solid waste or source separated materials within the county in such a way as to violate any requirements of any county ordinance, state or federal law; and/or

- 4.1.3 To fail to correct any condition or method of operation which violates any county ordinance or rules applicable to the collection or transportation of solid waste or source separated materials after being ordered to do so by the county.
- 4.2 *Upsetting of containers prohibited.* No person shall willfully turn over or upset any vessel or container used for sorting or storing solid waste, recyclable materials, compost or other waste, resulting in spilling the contents or any portion thereof on any roadway, waterway or on any public or private property.
- 4.3 *Using containers of another is prohibited.* No person shall place solid waste or any other material in a solid waste container of another person without the express consent of the person. This prohibition shall not apply to containers placed for public convenience along streets or sidewalks and in buildings of public accommodation.
- 4.4 *Containment of solid waste or source separated materials.* No person shall discharge or allow the discharge of liquid, solid waste or source separated materials from any container or vehicle containing solid waste or any other waste, or permit the vehicle to stand, be stored or kept in a manner or for a length of time that it will be or constitute a nuisance.
- 4.5 *Improper disposal.* Pursuant to M.S. Ch. 115A, 116 and 400, as they may be amended from time to time, and the 12 County Southwest Regional Solid Waste Management Plan, the county has adopted and implemented a system of solid waste management that includes readily accessible solid waste collection and disposal services. The services are available county-wide through a system of licensed private and municipal haulers as well as through readily accessible solid waste transfer facility.
- 4.5.1 Except as provided in this chapter, no person shall dump, throw or in any manner deposit or dispose of solid waste upon or in any roadway, waterway, body of water, public or private property, or at an agency permitted waste facility other than during the facility's operating hours and in a manner consistent with disposal of solid waste at the waste facility.
- 4.5.2 Burning of solid waste shall be allowed only in compliance with M.S. §§ 17.135 and 88.171, as they may be amended from time to time. If the County Board has adopted a resolution stating that regularly scheduled pickup of solid waste is reasonably available throughout the county, the exception for on-site burning in M.S. § 17.135, as it may be amended from time to time, shall not apply. Open burning of tree and brush shall be allowed by any regulation of the Department of Natural Resources now and hereafter adopted.
- 4.5.3 Electric utility and railroad companies that distribute chemically treated wood products to the general public for reuse must, upon providing the products, also provide written information on proper disposal of the products pursuant to the requirements of M.S. §§ 17.135 and 88.171, as they may be amended from time to time, and this chapter.
- 4.5.4 No person shall bury solid waste generated from the person's household or business operation without a permit as required by this chapter. If the County Board has adopted a resolution stating that regularly scheduled pickup of solid waste is reasonably available throughout the county, the exception for on-site burial in M.S. § 17.135, as it may be amended from time to time, shall not apply.
- 4.6 *Duty to provide collection, transportation and disposal of solid waste.* It shall be the duty of the

person, which specifically includes the owner, lessee or occupant, having properties within the county to provide for the lawful collection, transportation and disposal of all solid waste generated on the person's property.

4.7 *Items prohibited for collection or placement with mixed municipal solid waste.*

4.7.1 No person shall place in containers for collection by a hauler or for disposal in a solid waste facility any of the following materials: a significant amount of manure; household hazardous waste; hazardous waste; pathological waste or infectious waste as these wastes are defined by state and federal regulations; materials separated for recycling; tires; used motor oil; lead acid batteries; rechargeable or button batteries; yard waste, mercury or a thermostat, thermometer, electronics, electric switch, major appliances/white goods, or a medical or scientific instrument for which the mercury has not been removed for reuse or recycling; or any other item specifically barred from the waste stream under state law. These items shall be otherwise disposed of by a person or legal entity in accordance with programs administered by the Department or in accordance with state law.

4.7.2 When any hauler finds any of the above-mentioned prohibited articles in solid waste containers to be collected, the hauler may, at its option, refuse to collect the contents of the container. The hauler shall notify the occupant of the premises of the prohibited articles in the container and the reason for non-collection. If a hauler chooses to collect prohibited articles, that hauler must transport those articles to a place providing proper disposal.

4.8 *Items prohibited for collection or placement with recyclable materials.* No person shall place in containers intended for the collection and processing of recyclable materials, (including rural recycling dumpsters, residential carts, recycling roll-offs or other recycling containers), any material that is not defined as recyclable material including, but not limited to: mixed municipal solid waste; garbage; hazardous materials; major appliances; electronics; animal/animal waste; medical waste; personal hygiene/care products; needles; scrap iron; clothing/fabrics; rubber; wood; organics and yard waste; construction and demolition debris.

4.9 *Scavenging.* Without the consent of the owner/operator of that facility or container, it shall be unlawful for a person to remove waste materials, including mixed municipal solid waste, recyclable materials, scrap metals, appliances, tires, construction and demolition debris, or other waste materials, from any solid waste facility or from any privately or publicly owned solid waste or recycling container. This prohibition shall not apply to materials removed from waste facilities by contract or through a managed salvaging program.

4.10 *Spills.* Vehicles or containers used for the transportation of any solid waste must be loaded and moved in a manner that does not allow the contents to fall, leak or spill therefrom, and must be covered when necessary to prevent blowing of material. Where spillage does occur, the material and any contaminated soils must be picked up immediately by the transporter and returned to the vehicle or container and the area properly cleaned.

Section 5: SOLID WASTE MANAGEMENT FACILITIES.

5.1 All solid waste shall be stored, collected, transferred, utilized and disposed of, or reclaimed in a manner consistent with requirements of these regulations. The Agency and/or County is responsible for enforcement of these regulations and encourages cooperation of municipalities which may adopt these regulations for use in local laws, ordinances, and regulations.

- 5.2 The Renville County Construction and Demolition Landfill is for the use of Renville County citizens, Redwood County citizens, RRRSWA, and the Redwood-Renville Material Recovery and Transfer Facility.
- 5.3 No person shall use, cause, permit or allow land or property under their control to be used for solid waste management purposes, except at an operation for which a permit has been generated by the County Board, unless otherwise provided by this chapter.
- 5.4 Any operation to be used for any method of solid waste management which includes, but is not limited to land disposal, resource recovery, composting/co-composting, recycling and transfer stations must be licensed by the County Board before operation may commence. The permit application shall contain two complete sets of plans, specifications and reports prepared by a state registered professional engineer. Those shall include:
- 5.4.1 A current map or aerial photograph of the area showing land use and zoning, if applicable, within one-fourth mile of the site or facility. The map or aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, roads and other applicable details as determined by the Department, and shall include the general topography with contours and drainage patterns. The location of wells shall be identified on the map or photograph. United States Geological Survey data shall be included and a north arrow drawn. A location insert map shall be included;
 - 5.4.2 A plot plan including a legal description of the site and adjacent area showing dimensions, location of soil borings, present and planned pertinent features including, but not limited to, roads, fencing, screening, cover stockpiles and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch;
 - 5.4.3 An ultimate land use plan of the site including stages identifying the total and complete land use and showing finished contour lines and elevations. The scale of the ultimate land use plan shall not be greater than 200 feet per inch;
 - 5.4.4 A report indicating:
 - 5.4.4a The geographical areas expected to be served by the facility, current population of the area and projected population figures for the period of the expected life of the facility;
 - 5.4.4b The anticipated type, quantity and source of material to be managed at the site;
 - 5.4.4c The type and amount of equipment to be provided at the site for waste handling;
 - 5.4.4d The area of the site in acres;
 - 5.4.4e The name and address of the owner of the site or facility, and the name and address of individuals responsible for the actual operation and maintenance of the site;
 - 5.4.4f The intended operating procedures;
 - 5.4.4g The expected schedule of fees to be imposed at the facility;

- 5.4.4h An estimate of the number of vehicles using the facility each data and the volume of wastes deposited daily; and
 - 5.4.4i The layout and construction of the facility.
- 5.4.5 A notarized affidavit stating that the applicable local governments have been given at least 30 days of written notification of the pending application for a license;
- 5.4.6 Explanation of the availability of revenues necessary to operate the facility in accordance with applicable state and local laws, ordinances and rules; and
- 5.4.7 Such additional information as may be required by the Department.
- 5.5 After receiving an application for a license, the County Board shall refer the application to the Department, which shall give a non-binding recommendation to the County Board concerning whether it should issue or deny the license.
 - 5.5.1 If an applicant is denied a license, the applicant shall be notified in writing of the reasons therefor by the County Board. A denial shall be without prejudice to the applicant's right to an appearance before the County Board or to the applicant's right to file a further application after revisions are made to satisfy objections specified as reasons for the denial.
- 5.6 Except as otherwise provided, a public hearing before the County Board is required prior to the issuance of a license for a solid waste management facility.
 - 5.6.1 Notice of the time, place and project to be considered shall be given by publication in the official newspaper for the county at least ten days before the hearing.
 - 5.6.2 Written notice shall be sent to property owners of record within one-quarter mile of the existing or proposed project, or to the ten properties nearest to the project, whichever would provide notice to the greatest number of owners.
 - 5.6.3 Written notice shall also be given to the affected board of town supervisors and the municipal council of any municipality within which the existing or proposed project is located.
 - 5.6.4 The applicant and all other interested parties shall be afforded an opportunity to be heard at the hearing.
 - 5.6.5 Evidence may be cited in a manner consistent with rules of evidence applied in civil cases. A transcript thereof shall be made by tape recording or other suitable technique. All books, records, files and correspondence of the County Board pertaining to the application shall be available for public inspection.
- 5.7 The County Board may refuse to issue a license for any operation that does not comply with this chapter, agency rules and the county's Solid Waste Management Plan, as provided for in state statutes.
- 5.8 Issuance of any license pursuant to the provisions of this chapter shall be contingent upon the applicant furnishing to the county a bond in the amount to be set by the County Board. The bond shall name the county as obligee with sufficient sureties duly licensed and authorized to transact

business in the state as sureties. The condition of the bond shall be that if the licensee fails to comply with any of the requirements of county ordinances, or fails to perform any of the acts required or ceases to operate, and the county is required to expend any moneys, or expend any labor or material to restore the operation to a condition in compliance with this chapter, the bond holder and the sureties on its bond shall reimburse the county for any and all the expenses incurred by the county to remedy failure of the licensee to comply with the terms of county ordinances, and the bond holder and its sureties shall indemnify and hold the county harmless from all losses, costs and charges that may occur to the bond holder or its sureties because of any default of the licensee under the terms of its permit to operate in compliance with the terms of the ordinances of the county.

- 5.9 In addition to the bond, issuance of any license pursuant to the provisions of this chapter shall be contingent upon the applicant securing and furnishing to the county certificates of insurance acceptable to the county which may include, but not be limited to, the following types of insurance issued to the licensee by insurers duly licensed within the state: general liability, including, but not limited to, bodily injury, property damage, motor vehicle, loading and unloading, completed operations, explosion and collapses of underground operations; and worker's compensation.
- 5.10 Any license granted by the County Board under the provisions of this chapter may be conditionally revoked or suspended by the County Board for non-compliance with the provisions of the license, this chapter or applicable state laws or rules, or upon written notification to the licensee and the County Board by the Department or by an authorized representative of the County Board that the continued use of the operation may endanger the health, welfare and safety of the public or that the continued use may cause pollution or impairment of the environment. In the event of emergency health, safety or welfare dangers, the County Board or the Department may conditionally suspend or revoke the license immediately pending a hearing before the County Board, pursuant to (Section 5, 5.5). If the County Board revokes the license, the operator may apply for a new license when in full compliance with this chapter, state laws and rules.
- 5.11 The notice of conditional revocation or suspension shall be deemed served whenever it is served upon the licensee personally or by leaving the same at the licensed premises with the person in charge thereof. A copy of the notice of conditional revocation or suspension shall be provided to the County Board. The County Board shall remove the license suspension when the situation has been fully corrected. The conditional revocation or suspension shall become final unless, within ten days of service, the licensee requests a hearing before the County Board. Except as herein provided, a license may be finally revoked or suspended only after the County Board has held a hearing at which the licensee and other persons wishing to be heard concerning the operation shall have the right to be heard. The date of the hearing for permit revocation or suspension shall be set by the County Board and shall not be held earlier than ten days, nor later than 30 calendar days, after notice of the hearing was mailed to or served on the licensee. Evidence may be adduced in a manner consistent with the rules of evidence applied in civil cases. A transcript thereof shall be made by tape recording or other suitable technique. If, pursuant to the hearing, the County Board shall determine that the operation has been conducted in violation of the provisions of the license, this chapter, state law or rules, the County Board may finally revoke the license or the County Board may continue the suspension in effect until the licensee has demonstrated that full compliance with the provisions of the license, county ordinance, state laws and rules has been attained and that the compliance will be continued in the foreseeable future. If the County Board revokes the operator's license, the operator may apply for a new license.
- 5.12 Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this chapter shall expire on December 31 of the year specified by the County Board, unless sooner revoked pursuant to this chapter. Application for license renewal shall be made in writing to the county 30 days prior to the date of expiration. Application for renewal shall contain a

statement of any changes in the information submitted in the last approved license application. Failure to submit the information shall result in the denial of the license by the County Board. If there are no changes, it shall be so stated in the renewal application.

- 5.13 Where the conditions imposed by any provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this chapter, or any other applicable law, ordinance or rule, that provision which establishes the higher standards for the promotion of the public health, safety and general welfare shall prevail.
- 5.14 Every license issued for a solid waste operation in the county shall be registered with the Department.

Section 6: SOLID WASTE STORAGE

6.1 *Storage of waste.*

6.1.1 The owner or occupant of any land or structure is responsible for the satisfactory storage of all solid waste accumulated at or on the land or structure in compliance with this chapter, Minnesota Rules and any local ordinances.

6.1.2 A person may not store waste in a manner that could cause pollution of the air, water or soils, or that could cause harm to other's health or well-being.

6.2 *Waste accumulations.* Except as otherwise allowed by this chapter, owners, occupants or managers of every property shall be responsible for maintaining all open areas free of improperly stored waste accumulations. Waste accumulations include but are not limited to: auto/machinery hulks; construction and demolition debris; garbage; hazardous waste; household hazardous waste; major appliances; tires, electronics, mixed municipal solid waste; recyclable materials; refuse; rubbish; solid waste; yard waste/compost; any other form of waste which is in a condition of disrepair such as to have no immediate useful purpose.

6.3 *Storage containers required.* Every residential dwelling or commercial, industrial or institutional site shall be supplied with appropriate waste storage containers. The containers shall be provided by the owner or manager of the property or by contract with a commercial hauler. The container shall be: durable, rust resistant, non-absorbent, water-tight, rodent proof, and easily cleanable, with close fittings, fly tight covers and have adequate handles or bails to facilitate handling. Toxic or hazardous wastes shall be stored in durable, leak proof containers which are labeled with the description of the chemical composition of the substance stored therein.

6.4 *Provided containers required to be used.* Property owners or occupants shall store waste for removal in the waste storage containers. The property owner or occupant shall not permit waste to be placed in locations or in a manner that the waste can be scattered by water, wind, or animals. Garbage and similar putrescible waste shall be stored in containers of a size and type determined by and acceptable to the municipality and of a weight and size determined by the refuse collection service subject to requirements as set by the municipality or county. Solid waste objects or materials too large or otherwise unsuitable for storage containers shall be stored in a nuisance and pollution free manner in compliance to the regulations of the municipality and of county and state ordinance.

6.5 *Frequency of container service.* Every property owner or occupant shall have the solid waste removed and deposited at a place allowed by this chapter, on a regularly scheduled basis. Non-putrescible waste suitable and sorted for recycling may be retained if stored in an aesthetically acceptable manner that avoids unacceptable health risk or nuisances and otherwise complies with this chapter.

6.6 *Storage container maintenance.* Solid waste containers shall be maintained and kept in a neat, clean, sanitary and leak-resistant condition by the container's owners as to prevent rodent access, insect breeding, nuisances and unsightly conditions.

6.7 *Unauthorized transfer of solid waste.* Except as permitted by this chapter, solid waste shall not be transferred and or deposited to another property or another property's waste storage container, except with the consent of the property owner.

Section 7: WASTE TIRES AND UNACCEPTABLE WASTE

7.1 *Waste tires.*

- 7.1.1 Waste tire collectors and processors shall meet the requirements of state laws and rules administered by the agency. The requirements of this section shall apply to any person who disposes of, transports, stores, processes, or otherwise possesses waste tires within the County of Renville.
- 7.1.2 Waste tires shall be stored in a manner which will not create a nuisance, blight, health hazard or fire hazard. (a.) Any person who possesses waste tires in the County of Renville shall: Obtain a permit from the Minnesota Pollution Control Agency to store or process the waste tires required by Minnesota Rules Parts 92220.0230 and .0240. Such storage or processing shall be in accordance with all conditions of the State Permit. (b.) Exemptions. A person may store or process waste tires without a State Permit if: 1a. Such storage or processing is pursuant to an exemption under Minnesota Rules part 922-.0230, subpart 2; 2b. Fewer than 50 waste tires are stored at any one time; or 3c. Fewer than 50 waste tires are processed during any 30 days. 4d. Agricultural purposes; legitimate use of tires on agricultural site.
- 7.1.3 Penalties. A. Criminal penalties – Any person who willfully or negligently violates this section shall upon conviction be guilty of a misdemeanor. B. Civil-penalties. Any person who disposes of waste tires on public or private land, shoreland, roadways or waters in the County of Renville in violation of this section shall be subject to the civil penalties of M.S. Ch. 115A.99.
- 7.1.4 Waste tires within 1,000 feet of any residence shall be stored or utilized in a manner that prevents water from being retained in the tires.
- 7.1.5 Waste tires shall not be placed, stored or disposed of in or at any non-permitted area. Examples of non-permitted areas include, but are not limited to: lakes; streams; waterways; drainage ditches; wetlands; ravines; gullies; gravel pits; floodplains; shorelands; groves; rights-of-way; unoccupied and occupied sites, facilities or structures.
- 7.1.6 The owner or occupant of the land or premises upon which waste tires are located in violation of this chapter shall be obligated to remove them and be taken to a licensed solid waste management facility.
- 7.1.7 No person who is not permitted by the state as a tire collector or tire processor may accumulate more than 50 waste tires or equivalent weight of other waste tires on the person's premises, unless the person is a retail tire seller, tire-retreading business or vehicle repair business subject to the requirements of 7.1.2 of this chapter. Exceptions may be allowed when waste tires are utilized outside of a building for agricultural purposes where they comply with the requirements of other applicable laws or sections of this chapter.

- 7.2 *Unacceptable waste.* It is the responsibility of the solid waste hauler to dispose of waste at a suitable licensed solid waste management facility. A solid waste facility may reject waste as unacceptable. The solid waste facility may provide information regarding suitable facilities where

that unacceptably can be accepted.

Section 8: ENFORCEMENT

- 8.1 *Inspections.* Inspection of licensed or permitted solid waste management activities, facility and/or a licensee's premises and any/all property shall be made by the county in a frequency as to ensure consistent compliance by the licensee or property owner with this chapter.
- 8.1.1 The applicant, licensee or property owner shall allow free access to authorized representatives of the county or their designee at any reasonable time for the purpose of making such inspections as may be necessary to determine compliance with the requirements of all county ordinances, or rules or statutes.
- 8.1.2 Failure of the applicant, licensee or property owner to permit the inspection shall be grounds for denial, suspension or revocation of a license. The licensee shall be provided with written documentation of any deficiencies and the date by which the corrections shall be completed.
- 8.1.3 Whenever necessary to enforce any provision of this chapter, or whenever the county has reasonable cause to believe that a violation of this chapter exists, the county may enter premises or vehicles to inspect the same or to perform any duty incumbent upon the county; provided that, if the premises or vehicle be occupied, the authorized representative shall first present proper credentials and request entry; and, if the premises or vehicles are unoccupied, the county shall first make a reasonable effort to locate the operator or other persons having charge or control of the premises or vehicle and request entry. If the entry is refused, the county may order an emergency suspension, suspension or revocation of a license or prosecution and shall have recourse to other remedies provided by law.
- 8.1.4 Whenever the county or its authorized representatives shall find in any building, vehicle or on any premises any material, condition or activity endangering the health, welfare or safety of the public, the county shall issue the orders as may be necessary for the enforcement of this or other applicable county ordinances governing and safeguarding the health, welfare and safety of the public.
- 8.1.5 Repeated violations of this chapter or failure to comply with any order of the county shall be grounds for emergency suspension, suspension or revocation of a license or prosecution.
- 8.1.6 Any order or notice issued or served by the county shall be complied with by the owner, operator or other persons responsible for the condition or violation to which the order or notice pertains. Every order or notice shall set forth a time limit for compliance depending on the nature of and the danger created by the violation. In cases of extreme danger to health, welfare and safety of the public, immediate compliance shall be required.

8.1.7 If a building, premises or vehicle is owned by one person and occupied or operated by another, under lease or otherwise, and the order or notice requires immediate compliance for the health, welfare and safety of the public, the order or notice shall be served on the owner, operator or occupant and the owner, operator or occupant shall ensure compliance with the order or notice.

8.2 *Re-inspection.*

8.2.1 Upon written notification from the licensee or property owner that all the violations for which a suspension or emergency suspension has been issued have been corrected, the county shall re-inspect the solid waste management activity.

8.2.2 If the county finds upon re-inspection that the violation has been corrected, the county shall inform the licensee or property owner of the corrective action, including possible reinstatement of the license.

8.3 *Action authorized.* In the event of a violation or a threatened violation of this chapter, the Solid Waste Administrator, in addition to other remedies, may institute appropriate actions, proceedings or fines to prevent, restrain, correct or abate the violations or threatened violations and it is the duty of the Attorney to institute the action.

Section 9: ADDITIONAL REQUIREMENTS

The County Board may impose additional requirements consistent with the intent of this chapter. Unless specifically authorized in advance by the owners of a facility, it shall be a violation of this chapter for any person or persons to enter upon or remain on property permitted or authorized by this chapter at any time during which the facility is not open, as indicated by the posted hours of operation.

Section 10: PROVISIONS CUMULATIVE

The provisions of this chapter are separate, distinct and cumulative and no such provision shall be excluded of any other provisions.

Section 11: CONSENT

Nothing contained in this chapter shall be deemed to be a consent, license or permit to locate, construct or maintain a site, facility or operation, or to carry on any activity.

Section 12: NON-LIABILITY

Neither the county, nor any officer or employee thereof, shall be held liable for any damage to persons or property by reason of any inspection, re-inspection or failure to inspect, or by reason of the approval or disapproval of equipment or the granting, not granting, suspending or revoking of any license hereunder, nor for any action in connection with the inspection or control of solid waste or in connection with any other official duties.

Section 13: REPORTING

13.1 The county may require information to be gathered by solid waste generators, solid waste management facility operators, commercial haulers and self-haulers regarding matters related to this chapter.

- 13.2 The information may include, where applicable, customer names and locations, waste origins, waste types and amounts and waste destinations for reuse, recycling, resource recovery or disposal.
- 13.3 Any such information gathered by the county will be managed subject to the state's Data Practices Act, being M.S. §§ 13.01 et seq., as they may be amended from time to time, or other applicable data management laws or agreements as amended from time to time.
- 13.4 Failure to provide this information will be considered a violation of this chapter.

LICENSES; COLLECTION AND TRANSPORTATION

Section 14: STANDARDS FOR COLLECTION AND TRANSPORTATION

- 14.1 The owner or lessee of any premises, business or industry may transport self-generated solid waste or contract with a licensed commercial hauler to collect and transport solid waste.
- 14.2 All solid waste collected and removed from every premises, business or industry shall be transported to the appropriate facility licensed and designated for that purpose, pursuant to the laws of the state and this chapter.
- 14.3 Municipalities shall be responsible for selecting the structure for the collection of refuse within their jurisdiction, such as open market or specific licensed hauler(s), said haulers who will transport the refuse/municipal solid waste (MSW) to the county designated solid waste disposal facility location, which is Redwood/Renville Regional Material Recovery and Transfer Facility, 907 West Bridge St., Redwood Falls, MN.
- 14.4 Outside the municipal limits of any community, in the areas zoned Agricultural, the owner, lessee, and/or occupant of any premises or business establishment shall be responsible for the collection and transportation of solid waste.
- 14.5 A Construction and Demolition Waste Disposal Site compliant with MPCA standards is being provided by the County (at the time of the adoption of this ordinance) located at 32877 County Road 4, Olivia, MN. The fees for use of the site shall be set by the County. The public shall be allowed to use the site for disposal of construction and demolition waste during its operating hours.
- 14.6 Vehicles intended for solid waste collection and transportation shall be annually D.O.T. Certified, properly identified (ownership), enclosed, properly covered/tarped to prevent litter, leak-proof, durable, well maintained and of easily cleanable construction. Suitable equipment shall be provided with each vehicle for the purpose of collecting spilled materials.
- 14.7 All solid waste shall be loaded and moved in such a manner that it will not escape from the vehicle or its container. Where spillage does occur, the material shall be picked up immediately by the hauler or solid waste transporter and returned to the vehicle or container, and the area properly cleaned.
- 14.8 Transporters shall notify the Department and the appropriate law enforcement agency if a load or partial load of solid waste is dumped or spilled, except where allowed by this chapter and clean the area as instructed by the authorities.

- 14.9 No one shall collect or transport solid waste that is smoking, smoldering or burning, except in a container designed and approved by the state's Fire Marshal and the Department.
- 14.10 Solid waste shall not be allowed to remain or be stored in any collection or transportation vehicle in excess of 48 hours, except in the event of an emergency.
- 14.11 Containers intended for solid waste storage, collection and transportation shall be: properly labeled, and specific to the type and/or kind of material that is being collected or material contained inside said container. The container must be in good and properly working condition, including but not limited to being free of damage and/or holes. Containers must be designed and constructed to be loaded, transported and unloaded in a safe, sanitary and nuisance-free manner. They shall be leak proof and periodically cleaned to prevent nuisance smells, pollution or insect breeding, rodent resistant, and shall be maintained and kept in good repair. The container, access and inspection doors and hoppers shall be securely closed, except when the vehicle or container is being inspected, cleaned, dumped or stored.

Section 15: ROUTES, DISTRICTS AND TIME

- 15.1 The County Board, by resolution, may adopt designated routes for transporting solid waste to solid waste management facilities in the county. Vehicles transporting solid waste to these facilities must use the designated routes.
- 15.2 Nothing in this section shall prevent any municipality or RRRSWA from establishing solid waste collection districts or routes within its jurisdiction; except that, the districts or routes shall not interfere with the implementation of the county's Solid Waste Management Plan.

Section 16: PERMITS AND LICENSES FOR COLLECTION AND TRANSPORTATION

- 16.1 *State rules.* The collection and transportation of solid waste shall be performed in accordance with state laws and rules in addition to the requirements of this chapter.
- 16.2 *Licenses and vehicle permit required.* Any person, firm, corporation or commercial hauler that transports solid waste or source separated materials in the county must annually complete an application for license to collect and haul solid waste for hire within the county on the forms provided by the Solid Waste Administrator or his or her designee for each vehicle used.
- 16.3 *Implied consent.*
 - 16.3.1 The application for and acceptance of a solid waste collection and transportation license in the county is evidence of the licensee's intent to comply with all state, county and federal regulations applicable to the collection, transportation and disposal of solid waste and source separated materials.
 - 16.3.2 By the application for and acceptance of a solid waste collection and transportation license, the licensee consents to allow the county access to all equipment used for collection and transportation for the purpose of inspections for compliance with this chapter. The inspection may be with or without prior notice to the licensee.
- 16.4 *Additional requirements.*
 - 16.4.1 All solid waste collection and transportation license holders are responsible for the

collection of waste in a timely manner consistent with this chapter and for the proper transportation and disposal of the solid waste at a properly licensed facility. The licensee is responsible for the service provided pursuant to a contract between the licensee and the purchaser of the service.

- 16.4.2 All solid waste collection and transportation licensees shall charge for the collection of solid waste within the county so that the charges shall vary with the volume, weight or frequency of the solid waste collected and shall annually provide the Department upon request, written proof of the variable charge rates utilized.
- 16.4.3 At the discretion of the Department, each solid waste collection and transportation license holder must submit to the Department, no later than November 30 of the year, on forms supplied by the Department, an accurate and current listing of all business and commercial accounts and waste volumes generated by those accounts (If requested). Failure to supply this information or the supplying of intentionally misleading information may be reason for immediate license revocation.

Section 17: PERMITS AND LICENSES FOR SOLID WASTE FACILITIES

- 17.1 *License required.* Unless otherwise provided by this chapter, no person shall cause, permit or allow real or personal property under his or her control to be used for the following solid waste management operations unless a license for that purpose has been granted by the county, and a permit obtained from the agency, if required. County licenses shall be required for construction and operation of:
 - 17.1.1 Transfer stations, including canister sites;
 - 17.1.2 Mixed municipal solid waste land disposal facility;
 - 17.1.3 Ash, construction and demolition debris and industrial solid waste land disposal facilities;
 - 17.1.4 Incinerators with a capacity equal to or greater than 500 pounds per hour;
 - 17.1.5 Waste tire processing or storage facilities;
 - 17.1.6 Solid waste processing facilities; and
 - 17.1.7 Facilities designed to process source separated materials, including, but not limited to, recyclable materials, source separated organic materials and batteries.
- 17.2 *License considerations.* As per M.S. Ch. 400 and 115A, as they may be amended from time to time, the county has adopted a comprehensive Solid Waste Management Plan. Any application for license to operate a solid waste facility in the county will first be evaluated based on whether the need and location of the proposed facility is consistent with the Solid Waste Management Plan.
- 17.3 *License modifications.* The Board may modify existing licensing requirements due to information indicating that the original permit provisions were based on inadequate or erroneous information. The change in the provision can only be made after advance notification of the licensee.

17.4 *License renewal.*

17.4.1 Each license granted by the county under this section shall expire on the conclusion of the December 31 following its issuance, or on the December 31 for a term to be determined by the County Board and specifically stated upon the license.

17.4.2 If the licensed activities have been performed in compliance with this chapter and other applicable laws, and a proper application for renewal has been made with appropriate fees paid, the County Board may issue the renewal license.

17.5 *Storage of recovered materials from demolition.* Segregated construction and demolition debris materials may be stockpiled for construction or recycling provided the Department and the agency has authorized the storage. Use of the materials shall comply with other applicable county or state laws and rules.

17.6 *Agency permit for disposal of selected construction and demolition debris.*

17.6.1 Construction and demolition debris generated at an individual property may be buried on-site provided a permit is issued by the agency. A record of the burial of waste shall be filed at the office of the County Recorder.

17.6.2 Placement of select construction and demolition debris as fill for a specific land improvement projects may be allowed provided a permit for that debris at that site is obtained from the agency. Type and area filled shall be filed at the office of the County Recorder. The county may limit the amount of construction and demolition debris to be used as fill to an amount less than that allowed in the agency permit, if needed to address public health and safety concerns.

Section 18: COUNTY-OPERATED FACILITIES AND PROGRAMS; STATE RULES

18.1 The provisions of this chapter allow the county, as an owner or operator, to participate in solid waste management activities, operate solid waste management facilities and provide solid waste management services and programs without obtaining a license to do so from itself.

18.2 As an operator of a solid waste management facility under the provisions of this chapter, the County Board may from time to time establish rates or charges for services provided. It may further utilize all of the provisions of this chapter to enforce the payment and collection of those designated changes.

18.3 State statutes, rules and federal regulations regarding waste facilities shall apply in addition to the provisions in this chapter.

**Rock County
Solid Waste Management Ordinance**

TABLE OF CONTENTS

I.	Title	1
II.	Purpose and Compliance.....	1
III.	Legal Authority.....	1
IV.	Definitions.....	2
V.	Administration.....	7
	Subd. 1 Environmental Officer	?
	Subd. 2 Duties.....	7
VI.	Solid Waste Collector Requirements.....	8
	Subd. 1 Solid Waste Hauling.....	8
	Subd. 2 Solid Waste Hauling Permits.....	8
	Subd. 3 Compliance.....	9
	Subd. 4 Pickup Schedules.....	9
	Subd. 5 Licensed Hauler Requirement.....	9
VII.	Recyclable Collector Requirements.....	9
	Subd. 1 Permits Required.....	9
	Subd. 2 Term Replacement.....	9
VIII.	Recyclables Container, Collection and Reporting Requirements.....	10
	Subd. 1 Recyclables Container Requirements.....	9
	Subd. 2 Recyclables Preparation.....	10
	Subd. 3 Frequency of Recyclables Collection.....	10
	Subd. 4 Quantity Reports Required.....	10
IX.	Solid Waste Management Facilities.....	10
	Subd. 1 Solid Waste Management Facilities.....	10
	Subd. 2 Commencement of Operations.....	11
	Subd. 3 License Requirement and Notification.....	11
	Subd. 4 Licensing.....	11
	Subd. 5 Plans/Specifications Submittal.....	11
	Subd. 6 Consent of Governing Body.....	12
	Subd. 7 Submittals to the State.....	12
	Subd. 8 Waivers.....	12
	Subd. 9 Application Response.....	12
	Subd. 10 Indemnification.....	12
	Subd. 11 Insurance Requirements.....	13

Subd. 12	Financial Assurance	13
Subd. 13	Fees	13
X.	Solid Waste Storage	14
Subd. 1	Responsibility	14
Subd. 2	Solid Waste Accumulations	14
Subd. 3	Storage Facilities/Containers Required	14
Subd. 4	Provided Facilities To Be Used	14
Subd. 5	Frequency of Container Service	14
Subd. 6	Toxic/Hazardous Wastes	15
XI.	Solid Waste Container Requirements/Compliance	15
Subd. 1	Container Construction	15
Subd. 2	Yard Waste Plastic Bags Prohibited	16
Subd. 3	Container Maintenance	16
Subd. 4	Container Compliance	16
Subitem a.	Investigations	16
Subitem b.	Notice	17
Subitem c.	Costs	17
XII.	Collection and Transportation of Solid Waste	17
Subd. 1	Unauthorized Transfer of Solid Waste	17
Subd. 2	Collection Responsibilities	17
Subd. 3	Spillage of Solid Waste	17
Subd. 4	Hazardous Waste Collection/Transportation ..	18
Subd. 5	Indemnification	18
Subd. 6	Residential Recycling	18
Subd. 7	Recyclables Identification	18
Subd. 8	Commercial Recycling	18
Subd. 9	Anti-Scavenging Provision	19
Subd. 10	Anti-Recycling Disposal	19
Subd. 11	Haulers	19
Subd. 12	Non-Profit Recycling Permits	19
Subd. 13	Recycling Collection Quantity Reporting ...	19
XIII.	Open Dumping/Littering	19
Subd. 1	Violation	19
Subd. 2	Open Dumping Prohibition	20
Subd. 3	Litter	21
Subd. 4	Legal Action	21
Subd. 5	Litter Identification	21
XIV.	Collection, Storage and Disposal of Regulated Special Wastes	21
<u>Waste Tires</u>		
Subd. 1	State Rules	21
Subd. 2	Land Disposal Prohibited	21
Subd. 3	MMSW Prohibition	21

Subd. 4	Residential Storage Limits	21
Subd. 5	Non-Residential Storage Limits	21
Subd. 6	Exceptions	21
Subd. 7	waste Tire Placement	22
Subd. 8	Violation,.....	22
White Goods		
Subd. 10	White Goods Prohibitions	22
Used Oil		
Subd. 11	Used Oil Prohibition	22
Yard Waste		
Subd. 12	Yard Waste Prohibition	22
Batteries		
Subd. 13	Lead Acid Batteries	22
Subd. 14	Transportation of Lead Acid Batteries	22
Subd. 15	Prohibition of Certain Dry Cell Batteries.	22
Subd. 16	Prohibition of Nickel-Cadmium Batteries ..	23
<u>Household Hazardous Waste</u>		
Subd. 17	Household Hazardous Waste Prohibition	23
XV.	Enforcement	23
Subd. 1	Authority ,.....	23
Subd. 2	Complaint/Investigation	23
Subd. 3	Violation Procedure	24
Subd. 4	Failure to Terminate Illegal Practices	24
XVI.	Penalties	25
Subd. 1	Interference with Environmental Officer ...	25
Subd. 2	Violation of Ordinance Provisions	25
XVII.	Waiver	25
XVIII.	Severability	25
XIX.	Repealer	25
XX.	Effective Date	25

ROCK COUNTY

Solid Waste Management Ordinance

The County Board of Commissioners of Rock County, Minnesota does ordain:

I, TITLE

This ordinance shall be entitled: Solid Waste Management Ordinance, Rock County, Minnesota.

II. PURPOSE AND COMPLIANCE

The purpose of this ordinance is to authorize and provide for Solid Waste Management for Rock County, Minnesota; establish powers and duties in connection therewith; to establish standards for and regulations of management operations; to establish requirements for certain facilities on a disposal site, require a license for the establishment and use of a solid waste management operation(s); for control of special solid wastes, embodying minimum standards and requirements established by regulation of the Minnesota Pollution Control Agency, providing for enforcement of said requirements, requiring bond, and imposing penalties for failure to comply with these provisions. Further, the purpose and object thereof is to promote health, welfare and safety of the public and protect resources of land, water and air.

III, LEGAL AUTHORITY

This Ordinance is enacted pursuant to Minnesota Statutes 1971, Chapters 115, 115A, 116 and 400 and 1984 Chapters 473.811 Subdivision SA.

Subd. 1 This Ordinance supersedes all provisions of any Rock County Ordinance that relates to control and collection of solid and hazardous waste,

Subd. 2 The governing body of any town or local unit of government may continue to exercise the authority to plan solid waste management, but after the adoption of official controls for a county by the County Board of Commissioners, no local unit of government shall enact official controls inconsistent with the standards prescribed in this Ordinance. Nothing in this section will limit any local governmental unit to exercise a more restrictive ordinance than provided in the controls adopted by the county.

Subd. 3 It is not otherwise intended by this Ordinance to repeal, abrogate or impair any existing restrictions or ordinances other than solid waste ordinances to the extent

specified above. Where the conditions imposed by any provisions of this Ordinance are either more restrictive than comparable conditions imposed by any other provision of this Ordinance or any other applicable law, ordinance, rule, and regulation, the provision which established the higher standards for the promotion and protection of the public health, safety and general welfare shall prevail.

IV. DEFINITIONS

The following word and phrases, when used in this ordinance, unless the context clearly indicates other wise, shall have the meaning ascribed to them in this Section.

- Subd. 1 The word "**shall**" is mandatory and not discretionary.
- Subd. 2 "**Agency**" means the Minnesota Pollution Control Agency
- Subd. 3 "**Air Contaminant Treatment Facility**" is a facility which generates a waste residue of air contaminants as a product of air filtration through industrial or air pollution control processes.
- Subd. 4 "**County**" means any department or representative of Rock County who is authorized by the Ordinance or otherwise by the County Board of Commissioners to represent Rock County in the enforcement and administration of this Ordinance.
- Subd. 5 "**County Board**" is the Rock County Board of Commissioners.
- Subd. 6 "**Cover Material**" is granular material, generally soil, which is used to cover compacted solid waste in a sanitary landfill, is generally free of large objects that would hinder compaction, and is free of organic content that would be conducive to vector harborage, feeding or breeding,
- Subd. 7 "**Cubic Yard**" is defined as a cubic yard of solid waste as received at the entrance of a waste facility. Waste facilities and haulers weighing and reporting tons of solid waste received at the entrance shall use the conversion factor of six hundred pounds per cubic yard (600 lb/yd³) of solid waste when required or authorized by this Ordinance.
- Subd. 8 "**Demolition Landfill**" is defined as an area of land used for the disposal of demolition waste without creating nuisances or hazards to the environment, public health and safety, and is operated in compliance with the provisions of this ordinance.

- Subd. 9 **"Demolition Waste"** is defined as material normally found in buildings to be demolished, such as, but not limited to, bricks, stone facing, concrete, cement blocks, stucco, plaster, wall boards, glass pipe, wire, metal, plastic, and any inert materials as may be approved by the Environmental Officer.
- Subd. 10 "Environmental Office" is the Rock County Environmental Office.
- Subd. 11 **"Garbage"** means materials resulting from handling, processing, storage, preparation, serving and consumption of food and various food by-products.
- Subd. 12 **"Hauler"** means any person who owns, operates, or leases vehicles for the purpose of collection and transportation of any type of solid waste, including recyclables.
- Subd. 13 **"Household Hazardous Waste"** means any waste generated from household activity that exhibits the characteristics of or that is listed as hazardous waste under agency rules, but does not include waste from commercial activities that is generated, stored, or present in a household. Household Hazardous Wastes include, but are not limited to: paints, solvents, cleaners, pesticides, herbicides, paint thinner, drain openers, varnishes, stains, and adhesives.
- Subd. 14 "Incineration" means the process by which solid wastes are burned for the purpose of volume and weight reduction in facilities designed for such use.
- Subd. 15 "Land Disposal Facility" means any tract or parcel of land, including any constructed facility, at which solid waste is disposed of in or on the land.
- Subd. 16 "Land Pollution" means the presence in or on the land of any solid waste in such quantity, or such nature or duration, and under such conditions as would affect injuriously any waters of the state, create air contaminants or cause air pollution.
- Subd. 17 **"Mixed Municipal Solid Waste" [MMSW]** is defined as garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, but does not include auto hulks, street sweepings, ash, demolition waste, mining debris, sludges, tree and agricultural wastes, tires, pesticides and hazardous wastes, and other materials collected, processed and disposed of as separate waste streams.

- Subd. 18 "Open Burning" is burning any matter whereby the resultant combustion products are emitted directly to open atmosphere without passing through an adequate stack, duct or chimney.
- Subd. 19 "Open Dump" is a land disposal site at which solid waste is disposed of in a manner that does not protect the environment, is susceptible to open burning and is exposed to the elements, insects, rodents and scavengers.
- Subd. 20 "**Operation**" means any site, facility, or activity relating to solid waste management.
- Subd. 21 "**Packer Truck**" means a truck with a solid waste container that compacts refuse by hydraulic method or other mechanical means.
- Subd. 22 "Person" means any human being, any municipality, public subdivision or other governmental or public agency, any public or private corporation, any partnership, firm or association, or any other organization, any receiver, trustee, assignee, agent or any other legal representative of any of the foregoing, or other legal entity.
- Subd. 23 "Putrescible Material or Garbage" means a solid waste which is capable of becoming rotten or which may reach a foul state of decay or decomposition.
- Subd. 24 "Recyclables" means those materials found within Mixed Municipal Solid Waste that have been designated by the Environmental Office as subject to source separation and recycling.
- Subd. 25 "**Recycler**" means any commercial or business established to collect, transport, process, store, redeem, or dispose of recyclables.
- Subd. 26 "**Recycling**" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.
- Subd. 27 "**Shoreland**" is defined as land located within the following distances from the ordinary high water mark of public waters: (a) land within 1,000 feet from the normal high water mark of a lake, pond, reservoir impoundment, or flowage; and (b) land within 300 feet or a river or stream or the landward side of a flood plain delineated by ordinance on such a river or stream, whichever is greater.

- Subd. 28 "Site or Facility" is defined as all real or personal property which is or may be used for the utilization, processing, or final disposal of solid waste and which requires a license for disposal therein under the provision of this ordinance.
- Subd. 29 **"Solid Waste"** is defined as garbage, refuse, demolition waste, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded solid waste materials and sludges in solid, semi-solid, liquid, or contained gaseous form, but does not include hazardous waste; animal waste used as fertilizer; earthen fill; boulders; rock; sewage sludge; solids or dissolved material in domestic sewage or other pollutants in water resources, such as silt dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended; dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended.
- Subd. 30 **"Source Separation"** means the separation, by the generator, of any material for the purposes of preventing its introduction into the mixed municipal solid waste stream.
- Subd. 31 "Solid Waste Collection Service" means a collection and/or transportation service, for fire, of Solid Waste within Rock County, operated by any person under contract or other agreement with the solid waste generator.
- Subd. 32 **"Solid Waste Management"** means the storage, collection and removal of solid waste from public and private property, its transportation to intermediate or final disposal facilities and its disposal by approved methods, the management of a recycling program, solid waste education and other solid waste operations or services.
- Subd. 33 "State" means the State of Minnesota.
- Subd. 34 "Toxic and Hazardous Waste/Hazardous Substance" shall have meanings given it in Minnesota Statutes, section 115B.02, subdivision 8.
- Subd. 35 "Transfer Station" is defined as an intermediate solid waste facility in which solid waste collected from any source is temporarily deposited to await transportation to the final disposal site or facility.

- Subd. 36 **"Waste Tire"** is defined as solid waste which consists of the rubber or other resilient material product which is used on a vehicle or other equipment wheel to provide tread which is discarded or which cannot be used for its original purpose because it is used, damaged, or defective.
- Subd. 37 **"Water Pollution"** means the contamination of any waters of the state so as to create a nuisance or enter such waters as unclean, obnoxious or impure, so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, commercial or industrial use, or to animals, birds, fish, or other aquatic life.
- Subd. 38 **"Waters of the State"** means all lakes, streams, ponds, marshes, water courses, water ways, wells, springs, reservoirs, aquifers, irrigation systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.
- Subd. 39 **"White Goods"** means major appliances. Major appliances include, but are not limited to: clothes washers and dryers, dishwashers, hot water heaters, garbage disposers, microwave ovens, trash compactors, conventional ovens, ranges and stoves, humidifiers and dehumidifiers, air conditioners, refrigerators, freezers, and residential furnaces.
- Subd. 40 **"Yard Waste"** means garden waste, leaves, lawn cuttings, weeds and prunings generated on residential or commercial properties. For this definition, prunings are defined as the green stemmed portion of plants and does not include tree trimmings.

V, ADMINISTRATION

Subd. 1 Environmental Officer. There shall be appointed by the Rock County Board of Commissioners an Environmental Officer who shall be responsible for the administration of this ordinance,

Subd. 2 Duties. The Environmental Officer shall have all necessary authority to implement and carry out the provisions of this ordinance including, but not limited, to the following:

1. To review and consider all applications and supporting materials which are referred to the Environmental Office for operations within the county, and after such review and consideration, to recommend in writing with documentation to the County Board whether a permit should be granted or denied.
2. To enter upon premises and into buildings to inspect operations to determine compliance and to investigate complaints about violations of this ordinance, following procedures set forth in this ordinance in Sections XV and XVI.
3. To recommend to the County Attorney that legal proceedings be initiated against a person or group of persons to compel compliance with the provisions of this ordinance or to terminate or control an operation not in compliance with this ordinance.
4. To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including, but not limited to, methodology, chemical and physical considerations, and engineering.
5. To advise, consult, and cooperate with the public and other governmental agencies in furtherance of the purpose of this ordinance,
6. To plan, implement and administer all County operated solid waste management facilities.

VI, SOLID WASTE COLLECTOR REQUIREMENTS

Subd. 1 Solid Waste Hauling, It shall be unlawful for any Solid Waste Hauler to haul solid waste or materials for hire within Rock County without securing a permit to do so from the Board of Commissioners.

Subd. 2 Solid Waste Hauling Permits. The County Board may in its discretion, issue a permit for the hauling of solid waste, for hire, only upon compliance with the following requirements;

- (a) Filing of an application for a solid waste hauling permit, upon a form provided by the County Board and available at the County Environmental Office,
- (b) Filing proof of comprehensive general liability insurance covering bodily injury and property damage (combined limit) in the amount of \$200,000 per person and \$600,000 per occurrence, and personal injury in the amount of \$200,000 per person and \$600,000 per occurrence.
- (c) Filing proof of comprehensive automobile liability insurance including owned, non-owned and hired automobile in the amount of \$200,000 per person and \$600,000 per occurrence,
- (d) The type, number and capacity of solid waste hauling vehicles, and other containers or collection equipment used in Rock County for solid waste. Such vehicles shall have leak-proof bodies of easily cleanable construction, completely covered with metal or heavy canvas, and shall be subject to approval and periodic inspection by the Environmental Officer.
- (e) Submission of a description of the route to be followed by all solid waste hauling vehicles between the area(s) of collection and the Solid Waste Disposal Facility. This need not include information about specific customers. The route shall be subject to approval by the Environmental Officer.
- (f) Payment of an annual permit fee set by resolution by the County Board. Payment of the permit fee may be waived by the County Board if the applicant is a governmental agency,
- (g) Collectors of solid waste from residential customers must charge for collection on the basis of the volume or weight of waste collected, For single family customers, the collector must offer a minimum 1 can/bag/tag rate. Non-offering of volume/weight rates shall be grounds for license termination or denial of

license renewal. A brief description of how the solid waste hauler will comply with this rule shall be submitted with the permit application.

Subd. 3 Compliance. The solid waste hauler and the vehicles used in collecting and transporting solid waste/designated recyclable materials within Rock County must comply with all state and local laws.

Subd. 4 Pickup Schedules. The Solid Waste Hauler must specify the time and day of collection that their customers are to place their solid waste out on their property for collection. The Solid Waste Hauler must collect the Solid Waste within 12 hours of the stated time. The stated time must be communicated to customers through local broadcast or print media or other means that reasonably insures that customers are aware of regular or modified pickup schedules. The collection location must be on the customer's property in a location at or near the regular solid waste collection site or such other location mutually agreeable to the hauler and the customer.

Subd. 5 Licensed Hauler Requirement. Municipalities or Townships within Rock County that contract with Refuse Haulers/Recyclables Collector must contract with a Refuse Hauler/Recyclable Collector who is licensed by Rock County. Contracts shall be consistent with the provisions in this Subsection.

VII. RECYCLABLE COLLECTOR REQUIREMENTS

Subd. 1 Permits Required. The County Board may, in its discretion, issue a permit for the hauling for hire of certain types of recyclables that are identified by County Resolution pursuant to Section XII, Subdivision 7 of this ordinance. In order to obtain a permit the recyclable collector must be in compliance with the following requirements;

(a) Fulfilling the requirements of Article VI, Subdivision 1 of this ordinance.

(b) Fulfilling the requirements of Article VI, Subdivision 2, subitems (a), (b), (c), (d), (e), and (f) .

Subd. 2 Term Replacement. For the purposes of this section, in Article VI, subdivisions 1 and 2, the terms "recyclables" shall replace the term "solid waste" and "recyclables processing facility" shall replace the term "solid waste disposal facility", and "recyclables hauler" shall replace "solid waste hauler". These terms shall have meaning as defined in Article IV.

VIII. RECYCLABLES CONTAINER, COLLECTION AND REPORTING REQUIREMENTS

- Subd. 1 Recyclables Container Requirements. The recyclable collector may specify the type of container their customer must place the recyclables in. The containers must be provided by the recyclable collector or already available to a customer at the time this Ordinance provision becomes effective.
- Subd. 2 Recyclables Preparation. The Recyclable Collector may specify how a customer is to place their recyclables out for collection and how the recyclables are to be prepared. The Environmental Office reserves the right to review and modify the amount of preparation required by the Recyclable Collector in consideration of local recyclable market requirements.
- Subd. 3 Frequency of Recyclables Collection. The Recyclable Collector shall collect recyclables from each customer at least once a month.
- Subd. 4 Quantity Reports Required. The Recyclable Collector must submit a monthly report to the Environmental Office, on or before the fifth working day following the reportable month, identifying the weight in tons of all recyclables collected from Rock County residents. To the extent possible, the report must identify the weight of each type of recyclable material collected.

IX. SOLID WASTE MANAGEMENT FACILITIES

- Subd. 1 Solid Waste Management Facilities. Unless otherwise provided by this ordinance, no person shall cause, permit or allow real or personal property under his or her control to be used for solid waste management purposes, except at an operation for which a license has been granted by the County Board.

Pursuant to Minn. Stat. Section 17.135, a permit is not required from the County for a person who owns or operates land used for farming that buries, or burns and buries, solid waste generated from the person's household or as part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on the land used for farming. This exception does not apply if regularly scheduled pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the County Board.

For the purposes of this ordinance, solid waste management operations includes the following specific activities set forth herein. In addition to other requirements listed

herein, applicants for licenses must meet all requirements of State rules and statutes listed below:

1. Operation of MSW Land Disposal Facilities Minn. Rules Chapter 7035.
2. Operation of MSW Incinerator Facilities Minn. Rules Chapter 7005 and 7035.
3. Operation of Composting and Co-Composting Facilities Minn. Rules Chapter 7035,
4. Operation of Recycling Facilities Minn. Rules Chapter 7035.
5. Operation of Transfer Station Facilities Minn. Rules Chapter 7035.
6. Solid Waste Storage Minn. Rules Chapter 7035.
7. Waste Tires Minn. Rules Chapter 7035, 9220, and Minn. Stat. 115A.
8. Collection and Transportation of Solid Waste Minn. Rules Chapter 7035.

Subd. 2 Commencement of Operations. Applicants for a license shall not commence any operation until the license application has been reviewed by the Environmental Office and approved by the County Board. A waste facility operating license shall not be issued until the facility construction has been completed in compliance with this ordinance and the approved plans and has been reviewed by the Environmental Office and approved by the County Board. The County Board, at its discretion, may require additional information as outlined in this ordinance.

Subd. 3 License Requirement and Non Transferability. A license issued by the County Board shall be required for the operation of solid waste facilities and other activities involving solid waste. This license shall not be transferable under any condition without the express approval and consent of the County Board.

Subd. 4 Licensing Period. Unless otherwise provided by the County Board, the license year for solid waste sites, facilities, operations and activities shall be from January 1 through December 31.

Subd. 5 Plans/Specifications Submittal. For facilities requiring an Agency permit for a solid waste facility or activity, the applicant for a license or license renewal may, upon request, be required to submit a complete set of

plans, specifications and/or reports to the Environmental Office.

Subd. 6 Consent of Governing Body. The applicant must submit to the Environmental Office written proof that the municipal or township governing body in which solid waste facilities, operations or activities are located has considered the establishment of solid waste facilities, operations or activities with respect to zoning and other applicable regulations and the position, recommendation or other position of said governing body to the proposed activity.

Subd. 7 Submittals To The State. All submittals to the State during the state permitting and/or licensing process for solid waste facilities and operations shall also be submitted to the Environmental Office.

Subd. 8 Waivers. The applicant shall submit such additional data as may be requested by the Environmental Office or the County Board. The County Board may waive a requirement for submitting certain information if such a waiver will not endanger the health or safety of the public.

Subd. 9 Application Response. After receiving a completed application for the operation of a solid waste facility or activity, the County Board shall have 30 days to either grant or deny the license or license renewal. Submission of false information may constitute grounds for denying a license or license renewal, suspension or revocation of an issued license.

Subd. 10 Indemnification. Unless otherwise provided by the County Board, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant furnishing to the County a performance bond, in any amount to be set by the County Board, and naming the County as obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Minnesota as sureties. The condition of such bond shall be that if the principal fails to obey any of the requirements or do any of the acts required by this ordinance in the operation of the solid waste facility or activity, or if, for any reason, ceases to operate or abandons the solid waste facility or activity, and the County is required to expend any monies or expend any labor or materials to restore the facility to the condition and requirements provided by the ordinance, the obliger and the sureties on its bond shall reimburse the County for any and all expenses incurred to remedy the failure of the principal to comply with the terms of this ordinance, and the obliger and its sureties will indemnify and save the County harmless from all losses, costs and charges that may occur to the County because of any default of the obliger under the terms

of his license to operate and the ordinances of the County. The performance bond shall be subject to cancellation by the surety at any time only upon giving one hundred twenty (120) days prior written notice of cancellation to the County. In lieu of part of all of said bond, the licensee may provide evidence of financial assurance in a form acceptable to the County Board to be used to bring the facility or activity into compliance with said requirements.

Subd. 11 Insurance Requirements. The licensee shall furnish to the County certificates of insurance issued by insurers duly licensed within the State of Minnesota covering public liability insurance, including general liability, automobile liability, completed operations liability, and bodily injury liability in amounts to be set by the County Board. In addition, the licensee shall provide evidence of worker's compensation coverage in the required statutory amounts.

Subd. 12 Financial Assurance. To the extent not otherwise required by Federal or State authorities and unless otherwise provided by the County, issuance or renewal of any license shall be contingent upon the owner of the site or facility or the operator or both providing financial assurance for the closure, post closure maintenance and monitoring of the site or facility. Use of this financial assurance shall be limited to the site or facility for which it was provided. Documentation submitted with the application for County Board approval shall include funding procedures, a description of the funding method, the value of the funding, and an inflation adjusted cost estimate which assess that the closure and post-closure activities at the site or facility take place. The amount of the financial assurance shall be equal to or exceed the total estimated post closure costs specified in the approved post-closure plan.

Subd. 13 Fees. The County Board shall, by resolution, establish fees, including fees for the application, initial license, renewal of license, and such other fees as may be necessary for the administration of this ordinance. The County Board may waive fees for any political subdivision applying for a solid waste permit.

X. SOLID WASTE STORAGE

Subd. 1 Responsibility. The owner, lessee and occupant of any single or multi-family dwelling, business establishment, industry and all other premises, shall be responsible for the satisfactory storage of all solid waste accumulated at the premise, business establishment or industry. No building, structure, area, or premise shall be constructed or maintained for occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection, transportation, and disposal of all solid wastes.

Subd. 2 Solid Waste Accumulations. Owners and managers of every property shall be responsible for maintaining all open areas free of improperly stored solid waste accumulations. For purposes of this ordinance this shall include: (a) animal feces; (b) inoperable machines, appliances, fixtures, and equipment so damaged, deteriorated or obsolete as to have no substantial value and can be reasonably considered solid waste and constitute a danger to public health and the environment; (c) lumber piles and building materials unless being actively used by a business, construction or agricultural operation requiring use of such lumber and materials; (d) tin cans, broken glass, broken furniture, boxes, crates, and other debris; (e) and other forms of mixed municipal solid waste. Nothing in this subdivision is designed to restrict the commonly accepted activities of agricultural farms and duly established and licensed automobile, scrap iron, and metal recyclers and salvage operations.

Subd. 3 Storage Facilities and Containers Required. Every property shall be supplied with adequate solid waste storage facilities and containers. Such facilities and containers shall be supplied by the owner of the property or by contract with a commercial hauler. Property owners who legally dispose of solid waste on their premises pursuant to Minn. Stat. Section 17.135 and are otherwise in compliance with this ordinance are exempt from this subdivision.

Subd. 4 Provided Facilities To Be Used. Property owners shall cause occupants and employees to store wastes for removal in the solid waste storage facilities and containers provided. The property owner shall not knowingly permit solid waste to be placed in locations or in a manner that the solid waste can be scattered by water, wind, animals, or insects.

Subd. 5 Frequency of Container Service. Non-Putrescible wastes suitable and sorted for recycling, or putrescible wastes may be contained for more than ten (10) days if they are stored in an aesthetically acceptable manner that avoids

unacceptable health risk or nuisances, and otherwise complies with this ordinance.

Subd. 6 Toxic/Hazardous Wastes. Toxic or hazardous wastes shall be stored in durable, leak-proof containers and shall be "painted and marked" so as to easily identify the container as toxic or hazardous waste, (e.g. a yellow band that encircles, at a minimum, the center one-third (1/3) of the container) consistent with federal and state regulations. All previous lettering and numbering will be obliterated from the container. The container will be marked within the yellow band, or other easily identified area, using a permanent marker as follows: The chemical name of the waste, the UN or NA Number, the contaminants present by percentages, the start date, the generators name and address and the generator's EPA or Agency identification number. Such wastes shall be stored in a safe location, accompanied with a description of the chemical composition of the substance stored within the container and be in compliance with the storage and transportation requirements of Agency regulations, Minnesota Department of Transportation regulations, federal and state regulations and this ordinance. Vehicles shall be properly placarded and be accompanied with a proper shipping manifest. In any case a generator of hazardous waste must comply with all federal and state laws and regulations applicable to the generation, storage, transportation, processing and disposal of hazardous waste (whichever laws and regulations are more stringent).

XI, SOLID WASTE CONTAINER REQUIREMENTS/COMPLIANCE

Subd. 1 Container Construction. All solid waste containers shall be constructed resistant to rodent, insect and vermin entry. Materials used shall be rust and impact resistant. The containers shall be equipped with tight fitting covers that shield the container from the entrance of precipitation, rodents, insects, and vermin.

1. Manually serviced containers shall have tapered side walls and handles, and a capacity of not more than thirty-two (32) gallons, and shall not be loaded more than fifty-five (55) pounds.

2. Mechanically serviced containers designed, equipped, and located to be emptied or carried by mechanical means suitable for a commercial hauler may be used with permission of the hauler.

3. Refuse Bins having an internal volume of one (1) cubic yard or greater shall be constructed

NOTICE: This solid waste container does not comply with Rock County Solid Waste Ordinance and this container shall be removed by the owner within ten (10) calendar days. The licensed commercial hauler collecting solid waste from this property is hereby ordered by the Rock County Environmental Office not to empty this container.

- a. Investigations. The Environmental Office shall investigate complaints about solid waste containers and if the container is found not in compliance a notice shall be attached to the container as provided in this section. If the Environmental Office does not investigate the complaint it shall mail to the containers owner a notice that a complaint was received regarding the container. The notice shall describe this ordinance's requirements for a solid waste containers. The owner shall report his actions to the Environmental Office within ten (10) days of the notice date regarding the correction he/she has made. If the owner does not make this report to the Environmental Office within ten (10) days, the Environmental Office shall proceed with an investigation. If the container is found to be in violation of this ordinance, a notice shall be attached to the container stating subsequently as follows:

SIGNED BY:-,---,---:---::---:,-.---on behalf of the Rock
County Environmental Office.

16

WARNING: This notice shall not be removed except by action of the Environmental Office.

b. Notice. The notice attached to the container shall not be removed except by action of the Environmental Office. The owner may cause the entire container and its contents to be removed as solid waste.

c. Costs. Any public costs associated with investigation and removal of the container may be charged as a fee to the owner of the container or as an assessment against the property as provided by law.

XII. COLLECTION AND TRANSPORTATION OF SOLID WASTE

Subd. 1 Unauthorized Transfer of Solid Waste. Except as permitted by this ordinance, Solid Waste shall not be transferred to another property or another property's waste storage facility or container except with the written consent of the property owner. A consent form for such transfers shall be provided upon request to property owners by the Environmental Office.

Subd. 2 Collection Responsibilities. Unless otherwise provided in this ordinance, the owner, the lessee and occupant of any premises, business establishment or industry is responsible, by contract or otherwise, for the collection and transportation of solid waste from the premises, establishment or industry, and shall collect and remove all solid waste accumulated at the premise, business establishment or industry and transport it to an operation for which a permit/license has been issued by the Agency and Rock County. Owners, lessees or occupants who legally and properly dispose of solid waste on their premises according to State statute and/or Agency rules and are otherwise in compliance with this ordinance are exempt from this provision.

Subd. 3 Spillage of Solid Waste. Vehicles or containers shall be loaded and moved in such a manner that the contents will not fall, leak, or spill therefrom, and shall be covered or secured to prevent blowing of material. When spillage does occur, the material shall be picked up immediately by the solid waste collector or transporter and returned to the vehicle or container and the area properly cleaned. When the material cannot be immediately picked up or the

area cleaned the Environmental Officer shall be notified,

Subd. 4 Hazardous Waste Collection/Transportation.

Vehicles or containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed, and leak proof in a safe, sanitary and nuisance-free manner. Vehicles shall be properly marked and labeled and be accompanied with a proper shipping manifest, as required by federal and state regulations and statutes.

Subd. 5 Indemnification. The solid waste collection service will indemnify, defend and save harmless the County Board, their agents, elected officials and employees from all claims, damages, losses, liabilities, costs, expenses and lawsuits whatsoever arising out of any act or omission on the part of the hauler or its contractors, agents, servants, or employees in the performance of or in relation to any of the work or services to be performed or furnished by the hauler under the terms of this ordinance.

Subd. 6 Residential Recycling. It shall be unlawful for any owner or occupant of a residential or multi-unit residential building within a Rock County municipality or service area to generate and deposit for collection mixed municipal solid waste which contains any of the following recyclable materials:

- a) Aluminum cans
- b) Tin food cans
- c) Glass bottles and jars
- d) Plastic bottles and jugs
- e) Newspaper
- f) Office paper
- g) Such other material which may be designated by the County Board unless such waste is directly delivered or collected for direct delivery to a facility which has been approved by the County for separation of recyclables.

Subd. 7 Recyclables Identification. The County Board shall, by Resolution, identify the specific types of recyclable materials prohibited from Mixed Municipal Solid Waste according to current market requirements as described in Subdivision 6 of this section.

Subd. 8 Commercial Recycling. It shall be unlawful for any owner or occupant of a commercial building within a Rock County municipality or service area to generate or deposit for collection mixed municipal solid waste which contains any of the recyclable material listed in Subdivision 6 and specifically identified by County Resolution pursuant to Subdivision 7 of this Section.

Subd, 9 Anti-Scavenging Provision, Ownership of designated recyclable materials set out for collection or placed in County recycling sheds or drop-off sites shall be vested in the contractor, hauler, collector or transporter of recyclable materials recognized by the Rock County Board of Commissioners.

Subd. 10 Anti-Recyclable Disposal. All recyclable materials collected as part of a recycling collection program shall not be deposited in a manner which precludes its reuse, as defined in the recycling definition in **MN** Statute 115,03 subdivision 25a and 25b,

Subd, 11 Haulers. A collector or hauler shall refuse to knowingly accept for collection any mixed municipal solid waste within a Rock County municipality or service area which contains:

- a) any of the recyclable materials listed in subdivision 6 and specifically identified by County Resolution pursuant to Subdivision 7 of this Section;
- b) any of the special regulated materials indicated as prohibited from MMSW in Article XIV of this ordinance.

Subd. 12 Non-Profit Recycling Permits. Civic or non-profit organizations, school groups, service clubs or others who collect recyclable materials to support their organization or to provide a community service will not be required to obtain a license/permit, except as required by the Agency. All submittals, as required by an Agency license/permit, shall also be submitted to the Environmental Office.

Subd. 13 Recycling Collection Quantity Reporting Requirements, All civic or non-profit organizations, school groups, service clubs, commercial/industrial establishments or others who collect and dispose of recyclable material shall to the extent possible, submit a report to the Environmental Office of the type and quantity of material collected. This report should be submitted within 30 days of disposal of the recycled materials.

XIII, OPEN DUMPING/LITTERING

Subd, 1 Violation. It shall be a violation of this ordinance for any person to dispose of Solid Waste within Rock County at any place except in the manner permitted by this ordinance,

Subd. 2 Open Dumping Prohibition. It shall be a violation of this ordinance for any person to operate an open dump; and, the owner of any dump in existence at the time this ordinance is enacted shall cease operations and close the dump in accordance with the following provisions. The owner shall:

1. Close access to the site and/prohibit the public from using the site. Signs indicating that dumping is not allowed shall be posted.
2. Stop burning, if present; and remove all chemical containers.
3. Eradicate rodents.
4. At the discretion of the County Board, the owner shall conduct a water monitoring program pursuant to: "Procedures for Ground Water Monitoring: Minnesota Pollution Control Agency Guidelines" and take measures to protect ground and surface water. Plans to protect the ground and surface water shall be approved by the Environmental Office prior to implementation.
5. Divert surface water drainage around and away from the disposal area.
6. Compact the solid waste and cover it with at least two (2) feet of compacted cover material.
7. Seed the cover material so that adequate turf is present.
8. Establish and maintain a final grade sufficient to promote water runoff without excessive erosion
9. The owner of the property on which a dump is located shall place on record at the office of the Rock County Recorder an instrument, in a form prescribed by the Environmental Office, placing the public on notice of the existence and location of the dump and of the obligations placed upon parties holding an interest in the property and the restrictions which may affect the use of the property.

OR;

- (1) Remove all solid waste on the site which may cause pollution or endanger human health and the environment and transport it to an appropriate state or county licensed solid waste facility.

- (2) Close the Open Dump in accordance with the provisions of this ordinance and State Rules.

- Subd. 3 Litter. Pursuant to Minnesota Statute 115A.99 any person who unlawfully places any portion of solid waste in or on public or private lands, shorelands, roadways, or waters is subject to a civil penalty of not less than twice nor more than five times the amount of cost incurred by a state or political subdivision to remove, process, and dispose of the waste.
- Subd. 4 Legal Action. Any cost that Rock County may incur as described in this section may result in action to recover the civil penalty, related legal, administrative, and court costs, and damages for injury to or pollution of the lands, shorelands, roadways, or waters where the waste was placed if owned or managed by Rock County.
- Subd. 5 Litter Identification. A person, corporation, partnership or entity shall be presumed to have deposited or placed solid waste in or on public lands, shore lands, roadways or waters if said solid waste ;an be identified by name, addresses, correspondence or othe similar material and information as belonging to or havi g been generated by said person, corporation, partnership or entity.

XIV. COLLECTION, STORAGE AND DISPOSAL OF REGULATED SPECIAL WASTES

Waste Tires

- Subd. 1 State Rules. Chapters 7001 and 9220 of the Minnesota Waste Tire Permitting Rules are hereby incorporated by reference, as amended.
- Subd. 2 Land Disposal Prohibited. The disposal of waste tires by burying in land is prohibited (Minn. Stat. 115A.904).
- Subd. 3 MMSW Prohibition. The disposal of waste tires in mixed municipal solid waste is prohibited.
- Subd. 4 Residential Storage Limits. No more than ten (10) waste tires may be stored within the boundaries of any residential lot.
- Subd. 5 Non-Residential Storage Limits. No more than one hundred (100) waste tires may be stored on any non-residential lot except at a properly licensed solid waste facility.
- Subd. 6 Exceptions. Exceptions to subsections 4 and 5 may be allowed when waste tires are utilized outside of a building for decorative, recreational, structural, construction or

agricultural purposes provided they comply with the requirements of other applicable laws or sections of this ordinance.

Subd. 7 Waste Tire Placement. Waste tires shall not be placed, stored, left, or permitted to remain in a lake, stream, wetland, sinkhole, gully, waterway, flood plain or shoreland.

Subd. 8 Violation. The owner of the land or premises upon which waste tires are located in violation of this ordinance shall be obligated to remove them to a licensed solid waste facility, or obtain the license required by this ordinance within one year of the effective date of this ordinance, or such later date as approved by the County Board.

White Goods

Subd. 10 White Goods Prohibitions. Pursuant to Minn. Stat. 115A.9561, no person shall place a major appliance in mixed municipal solid waste, or dispose of them in a solid waste processing or disposal facility.

Used Oil

Subd. 11 Used Oil Prohibition. A person may not place used crankcase oil in mixed municipal solid waste or place used oil in or on the land, unless approved by the Agency (Minn. Stat. 115A.916).

Yard Waste

Subd. 12 Yard Wastes Prohibition. Yard Wastes including, but not limited to garden waste, lawn cuttings, weed, or prunings shall not be disposed of in municipal solid waste, in a land disposal facility or in a resource recovery facility except for the purpose of composting or co-composting as per MPCA Rules 7035.2835, subd. 3, as amended (Minn. Stat. 115A.931).

Batteries

Subd. 13 Lead Acid Batteries. A person may not dispose of a lead acid battery in mixed municipal solid waste or dispose of a lead acid battery (Minn. Stat. 115A.915).

Subd. 14 Transportation of Lead Acid Batteries. A person who transports used lead acid batteries from a retailer must deliver the batteries to a recycling facility (Minn. Stat. 115A.9152 subd. a).

Subd. 15 Prohibition of Certain Dry Cell Batteries. A person may not place in mixed municipal solid waste a dry cell containing mercuric oxide electrode, silver oxide electrode,

nickel-cadmium, or sealed lead acid that was purchased for use or used by a governmental agency, or an industrial, communications or medical facility (Minn. Stat. 115.A.9155 subd. 1).

Subd. 16 Prohibition of Nickel-Cadmium Batteries. A person may not place in mixed municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a nonremovable rechargeable battery pack, or a product powered by rechargeable batteries or rechargeable battery pack, from which all batteries or battery packs have not been removed (Minn. Stat. 115.9157 subd. 2).

Household Hazardous Waste

Subd. 17 Household Hazardous Waste. A person may not place in mixed municipal solid waste any household hazardous waste.

XV. ENFORCEMENT

Subd. 1 Authority. The Environmental Officer or such other person(s) as the County Board may designate by resolution or otherwise, shall enforce the provisions of this ordinance.

Subd. 2 Complaint/Investigation. All complaints as to alleged violation of this ordinance shall be filed in the Environmental Office which shall maintain a record thereof. The Environmental Officer shall be responsible for the investigation of complaints and for initiating investigations upon "good cause" to believe a violation is occurring. Investigation shall be conducted in the following manner, to wit:

a. In all cases in which the alleged violation poses an immediate or imminent danger to public health, safety or welfare, the Environmental Officer shall immediately investigate the complaint.

b. In all other cases the Environmental Officer shall investigate only after attempting to contact and give notice to the township or city within which the alleged violation is located. The township or city may elect to accompany the Environmental Officer in the investigation.

c. Upon completion of the investigation a report of the findings shall be made and filed in the Environmental Office.

d. If at any time any person, corporation, partnership or other entity shall refuse to allow the Environmental Officer access to inspect and investigate to determine compliance with this ordinance, the Environmental

Officer shall have the right to obtain a search warrant to gain access for purposes of such inspection,

Subd. 3 Violation Procedure. Whenever it is found that a violation of this ordinance has occurred, the Environmental Officer shall:

a. Issue a "Notice to Abate" to the person, corporation, partnership, or entity found to be in violation or non-compliance and specify such action as necessary to come into compliance with the provisions of this ordinance. Said notice shall be in writing and shall be served by mail on said violator, or if a mailing address is unknown, then by posting said notice on the premises.

b. The Environmental Officer may issue a citation for violation of this ordinance at the time that the original "Notice to Abate" is served, or anytime thereafter, until said notice has been fully complied with. The citation shall specify a fine according to a schedule of fines adopted by the County Board.

Subd. 4 Failure to Terminate Illegal Practices. If after service of notice, the person, corporation, partnership or other entity fails to terminate the illegal practices and to come into compliance with the terms of ordinance, the Environmental Office may take such steps as are necessary to eliminate the non-compliance and to bring the activity or practice into compliance for the term of this ordinance. After consultation with the County Board, the Environmental Office may either:

(a) Impose a daily assessment for each day that the noncompliance continues in an amount of \$50,00 per day provided that written notice of the intention to levy said assessment and the commencement date thereof shall be given in the same manner as provided for in Subd. 3 (a) of this Article, or

(b) Arrange for the entry upon the property to terminate the noncompliance and bring the activity or practice into compliance, provided all costs incurred by such remedial and enforcement action may be recovered by assessing the cost against the real property upon which the illegal practice or activity has occurred. The Environmental Officer shall certify said amount to the County Auditor on or before October 15 of each year for collection in the same manner as taxes and special assessments.

XVI. . PENALTIES

Subd. 1 Interference with Environmental Officer. Any person who shall prevent, molest, resist, or interfere with the Environmental Officer in the discharge of his/her duties shall be guilty of a misdemeanor.

Subd. 2 Violation of Ordinance Provisions. Any person who shall violate any provision of this ordinance or who shall fail to comply with any order made under the provisions of this ordinance shall be guilty of a misdemeanor.

XVII. WAIVER. The County Board may waive any licensing, construction or operation requirements based upon the characteristics of the waste, the site or the proposed service, provided such a waiver will not endanger the health or safety of the public.

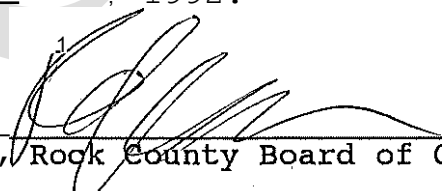
XVIII. SEVERABILITY. The provisions of this ordinance are severable. Should any action, paragraph, sentence, clause, phrase, or portion of the regulation be declared invalid for any reason, the remainder of this regulation shall not be affected.

XIX. REPEALER. Rock County Solid Waste Ordinance No. 1972-2 (2.0) and 1975-1 (2.01) is hereby repealed,

XX. EFFECTIVE DATE. This regulation shall be in full force and effect on January 1, 1993 upon adoption and publication pursuant to law.

Passed and Adopted by the Rock County Board of Commissioners

this -9 7/11- day of ? T, 1992.


Chairman, Rock County Board of Commissioners

AT-L-Lo-Lo-Lo-Lo

Charles A. Braa, Rock County Auditor

**RESOLUTION PROVIDING FOR THE ESTABLISHMENT
AND COLLECTION OF FEES, RATES AND CHARGES
FOR THE USE OF THE SOLID WASTE MANAGEMENT
FACILITIES WITHIN ROCK COUNTY, MINNESOTA
AND PROVIDING AND SETTING THE LICENSE FEES
FOR SOLID WASTE HAULERS, RECYCLABLE HAULERS
AND SOLID WASTE FACILITIES**

WHEREAS, The County of Rock adopted a Solid Waste Management Ordinance, dated May 5, 1992 and which Ordinance authorizes and empowers the Board of Commissioners of the County of Rock to establish and provide for the fees necessary to implement the provisions of said Ordinance and to provide for the establishment of license fees as required therein, and,

WHEREAS, The County of Rock has heretofore purchased and developed and is now operating a solid waste management facility in the County of Rock consisting of a transfer station and demolition material disposal site, and,

WHEREAS, The County has determined that it is in the best interests of the residents of Rock County that the cost of operation of all solid waste management facilities be paid from fees and charges generated from the use of said facilities, and,

WHEREAS, The County finds it necessary and appropriate that from time to time the rates, charges and license fees as relates to solid waste management within the County be adjusted so as to reflect the cost of operation, to encourage and promote certain conservation practices, to reflect changes or modifications in the operation and type of said facilities, and further to provide for the collection of mandated state surcharges;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Rock, State of Minnesota, as follows:

**SECTION I.
PRIOR RESOLUTIONS**

This resolution shall be deemed to supersede, amend and replace any previous ordinances or other resolutions enacted by the County of Rock relating to fees or charges therefor for a solid waste management facility, and all such resolutions are hereby revoked and rescinded effective October 4, 1993.

**SECTION II.
FEES AND CHARGES**

(A) Fees and charges shall be determined by weight and shall be as set forth.

1. Mixed municipal/individual solid waste
per ton (both compacted and uncompactd) \$85.00

2. Compost, grass clippings and yard garden waste per cubic yard	No charge
3. Trees, shrubs, or other brush per lb.	\$.01
4. Recyclable metals per lb.	\$.01
5. Demolition materials per ton	\$10.00
6. Appliances	\$15.00 each

**SECTION III.
FEES FOR TIRES**

(A) The following fees shall be charged for the deposit of tires:

1. Passenger car tires and all other tires except as otherwise provided herein	\$.05/lb.
2. Non-motorized bicycle tires	No charge

**SECTION IV.
GENERAL CONDITIONS**

(A) Solid waste shall contain no liquids.

(B) Solid waste shall not contain any materials or waste prohibited by the Rock County Solid Waste Management Ordinance or any state law, rule or regulation.

(C) At such time as charges are made on the basis of weight, one ton or less of solid waste shall be charged at the rate for one ton. Thereafter, charges shall be made on a proportional basis based upon the actual weight of the solid waste or other material delivered to the solid waste management facility, subject to the electronic sensitivity of the scale utilized.

(D) All solid waste or other materials brought to the sanitary landfill shall be directed and placed at such sites and in such a manner as directed by the landfill attendant.

**SECTION V.
SPECIAL CONDITIONS**

The following special conditions shall apply to the following specific classifications of solid waste.

(A) TIRES.

1. Only tires without rims or other attachments will be accepted.

(B) COMPOST, GRASS CLIPPINGS, YARD AND GARDEN WASTE.

1. Waste must be loose and shall not be tied or otherwise contained as placed in such containers as provided by ordinance, rule or regulation.
2. Except as otherwise provided for herein, no bags, boxes or other solid waste shall be included or mixed with said material.
3. Waste must not contain any residual pesticides.

(C) APPLIANCES.

1. For purposes of this resolution, appliances shall mean clothes dryers and washers, dishwashers, hot water heaters, garbage disposals, trash compactors, conventional ovens, ranges and stove, air conditioners, refrigerators, and freezers, furnaces, dehumidifiers.

(D) WASTE MOTOR OIL. No charge

1. Waste motor oil must not contain any water, solids, solvents, or degreasers of any kind.

(E) RECYCLABLE MATERIALS - AS DEFINED BY COUNTY BOARD RESOLUTION. No charge

**SECTION VI.
SURCHARGES, TAXES, ETC.**

The County shall collect, in addition to the fees set forth herein, such surcharges, taxes, assessments, or other charges or fees as may from time to time be required by the State of Minnesota pursuant to statute, rule, or regulation. Said fees and charges shall be in an amount set and determined by the State of Minnesota and changes therein shall not require additional action on the part of the County of Rock.

**SECTION VII.
NONRESIDENT USE OF FACILITY**

(A) In addition to the charges set forth in this resolution, each person, corporation, partnership or entity not a resident of Rock County shall pay additional service fees as follows:

1. Each load of one ton or less	\$20.00
2. Each additional ton or part thereof	\$20.00

**SECTION VIII.
COLLECTION OF FEES**

(A) The landfill attendance shall be responsible for recording and remitting all fees to the County Treasurer to be placed in the landfill account.

(B) In the event any charge hereunder shall be delinquent or past due for more than 30 days, there shall be added thereto an additional surcharge of 1 1/2% per month for each month that said account remains delinquent or \$15.00, whichever is greater.

**SECTION IX.
USE OF SOLID WASTE MANAGEMENT WASTE FACILITY
ON SATURDAYS, SUNDAYS, OR HOLIDAYS AND
SPECIAL HANDLING**

(A) Any individual, person or entity desiring to use the solid waste management facility at a time other than regularly scheduled hours, as determined by the County Board, shall not do so unless:

1. They shall pay, in addition to the regular charge provided for herein, an additional surcharge of \$40.00.
2. Obtain the consent of the environmental officer at least 24 hours prior to said intended use.
3. Insure and make provision that a landfill employee be present at the landfill for the purpose of the operation thereof.
4. No additional surcharge will be required on those portions of Saturdays, Sundays or holidays that the County Board of Commissioners orders the facility to be open for normal business.

(B) Other Special Handling. In the event that the solid waste requires special handling (i.e. asbestos, fuel contaminated dirt, etc.) there shall be charged in addition to the fees and charges set forth herein, an additional surcharge of \$25.00 per hour for the estimated hours needed for said special handling. The landfill superintendent shall determine the estimated hours required for the special handling.

(C) Uncovered Load Fee. There shall be assessed at \$10.00 surcharge for any load of material, of any kind, brought to the solid waste facility not covered.

**SECTION X,
LICENSE FEES**

That the following shall be the license fees for the various licenses required pursuant to the Rock County Solid Waste Management Ordinance,

(A)	Solid waste hauler license fee	\$75,00 per year.
(B)	Recyclable hauler license fee	\$75.00 per year.
(C)	Solid waste land disposable facility initial application fee	\$100.00
	Original permit fee	\$500.00
	Renewal fee	\$250,00 per year.
(D)	Composting and co-composting initial application fee	\$ 25.00
	Original permit fee	\$ 50.00
	Renewal fee	\$ 25.00 per year.
(E)	Recycling facilities initial application fee	\$ 25.00
	Original permit fee	\$ 75.00
	Renewal fee	\$ 50.00 per year.
(F)	Transfer station initial application fee	\$ 25.00
	Original permit fee	\$ 75.00
	Renewal fee	\$ 50,00 per year.
(G)	Waste tire facility initial application fee	\$ 25.00
	Original permit fee	\$ 75.00
	Renewal fee	\$ 50,00 per year.
(H)	Municipal solid waste incinerator initial application fee	\$750.00
	Original permit fee	\$1000.00
	Renewal fee	\$500.00 per year.
(I)	Municipal solid waste composting initial application fee	\$750.00
	Original permit fee	\$1000,00
	Renewal fee	\$500.00 per year.

**SECTION XI,
PUBLICATION**

The resolution shall be published in the official newspaper of the County of Rock, State of Minnesota, for two successive weeks commencing with the first available publication following its adoption.

**SECTION XII.
EFFECTIVE DATE**

This resolution and the charges herein shall be effective on October 4, 1993,

Adopted by the Board of Commissioners for Rock County, Minnesota, this 2nd day of September, 1993.

Jane A. Wildung
Jane A. Wildung, ~~Chairman~~ Chairman
Board County Commissioners

ATTEST:

Charles A. Braa
Charles A. Braa
County Auditor

**RESOLUTION PROVIDING FOR THE ESTABLISHMENT
AND COLLECTION OF FEES, RATES AND CHARGES
FOR THE USE OF THE SOLID WASTE MANAGEMENT
FACILITIES WITHIN ROCK COUNTY, MINNESOTA
AND PROVIDING AND SETTING FEES FOR THE LICENSING
OF SOLID WASTE HAULERS, RECYCLABLE HAULERS
AND SOLID WASTE FACILITIES**

WHEREAS, The County of Rock has adopted a Solid Waste Management Ordinance, dated May 5, 1992 and which Ordinance authorizes and empowers the Board of Commissioners of the County of Rock to establish and provide for the fees necessary to implement the provisions of said Ordinance and to provide for the establishment of license fees as required therein, and,

WHEREAS, The County of Rock has heretofore purchased and developed and is now operating a solid waste management facility in the County of Rock consisting of a sanitary landfill and intends to operate and construct a solid waste management facility consisting of a transfer station, and,

WHEREAS, The County has determined that it is in the best interests of the residents of Rock County that the cost of operation of all solid waste management facilities be paid from fees and charges determined by the use of said facilities, and,

WHEREAS, The County finds it necessary and appropriate that from time to time the rates and charges and license fees as relates to solid waste management within the County be adjusted so as to reflect the cost of operation, to encourage and promote certain conservation practices, to reflect changes or modifications in the operation of said facilities, and further to provide for the collection of mandated state surcharges;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Rock, State of Minnesota, as follows:

**SECTION I,
PRIOR RESOLUTIONS**

This resolution shall be deemed to supersede, amend and replace any previous ordinances or other resolutions enacted by the County of Rock relating to fees or charges therefor for the solid waste management facility, and all such resolutions are hereby revoked and rescinded effective January 1, 1993.

**SECTION II,
FEES AND CHARGES**

(A) During such time as the County shall continue to operate and maintain a sanitary landfill (and which period is expected to continue until approximately October 1, 1993), fees shall be determined on a volume basis and shall be as set forth herein:

**RESOLUTION PROVIDING FOR THE ESTABLISHMENT
AND COLLECTION OF CERTAIN FEES, RATES AND CHARGES
FOR THE USE OF THE SOLID WASTE MANAGEMENT
FACILITIES WITHIN ROCK COUNTY, MINNESOTA**

WHEREAS, The Board of Commissioners of the County of Rock has adopted a Solid Waste Management Ordinance, dated May 5, 1992 and which Ordinance authorizes and empowers the Board of Commissioners to establish and provide for the fees necessary to implement the provisions of the Ordinance, and,

WHEREAS, The County has previously adopted a Resolution setting fees, rates, and charges for the use of the solid waste management facilities on or about September 21, 1993, and,

WHEREAS, The County has determined that certain of the fees set forth in said September 21, 1993 Ordinance should be amended and altered so as to more accurately reflect the cost of receiving and handling said materials,

NOW THEREFORE, BE IT RESOLVED by the Board of commissioners for the county of Rock, State of Minnesota, as follows:

1, That Section II of that prior Resolution of the Board dated September 21, 1993 providing for the establishment and collection of fees, rates and charges for the use of the solid waste management facilities within Rock County, Minnesota and providing and setting the license fees for solid waste recyclable haulers and solid waste facilities shall be amended to read as follows:

FEES AND CHARGES

(A) Fees and charges shall be determined by weight or as otherwise set forth:

1. Mixed municipal/individual solid waste per ton (both pompacked and uncompacted)	\$85,00
Provided, that there shall be a \$2,00 bag or other container minimum	
2, Compost, grass clippings and yard garden waste per cubic yard	No charge
3, Trees, shrubs, or other brush per lb.	\$ •01
4. Recyclable metals per lb,	\$ •01
5. Demolition materials per ton	\$20.00
6. Appliances	\$15,00 each

1.

2. That all other provisions of the September 21, 1993 Resolution shall remain in full force and effect, and all rates, fees, and charges set forth therein are hereby ratified and affirmed.

3. Publication of this Resolution shall be published in the official newspaper of the County of Rock for two successive weeks commencing with the first available publication following its adoption.

4. This Resolution and the charges herein shall be effective on February 1, 1994.

Adopted by the Board of Commissioners for Rock County, Minnesota this 25th day of January, 1994.

Wills J. (rakke) Braa
Wills J. (rakke), Chairman
Board of County Commissioners

ATTEST:

Charles A. Braa
Charles A. Braa
County Auditor

**RESOLUTION PROVIDING FOR THE ESTABLISHMENT
AND COLLECTION OF CERTAIN FEES, RATES AND CHARGES
FOR THE USE OF THE SOLID WASTE MANAGEMENT
FACILITIES WITHIN ROCK COUNTY, MINNESOTA
AND PROVIDING AND SETTING THE LICENSE FEES
FOR SOLID WASTE HAULERS, RECYCLABLE HAULERS
AND SOLID WASTE FACILITIES**

WHEREAS, The County of Rock adopted a Solid Waste Management Ordinance, dated May 5, 1992 and which Ordinance authorizes and empowers the Board of Commissioners of the County of Rock to establish and provide for the fees necessary to implement the provisions of said Ordinance and to provide for the establishment of license fees as required therein, and,

WHEREAS, The County has heretofore purchased and developed and is now operating a solid waste management facility in the County of Rock consisting of a transfer station and demolition material disposal site, and,

WHEREAS, The County has determined that it is in the best interests of the residents of Rock County that the cost of operation of all solid waste management facilities be paid from fees and charges generated from the use of said facilities, and,

WHEREAS, The County finds it necessary and appropriate that from time to time the rates, charges and license fees as relates to solid waste management within the County be adjusted so as to reflect the cost of operation, to encourage and promote certain conservation practices, to reflect changes or modifications in the operation and type of said facilities, and further to provide for the collection of mandated state surcharges;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for the county of Rock, State of Minnesota, as follows:

**SECTION I.
PRIOR RESOLUTIONS**

This resolution shall be deemed to supersede, amend and replace any previous ordinances or other resolutions enacted by the County of IRock relating to fees or charges therefor for a solid waste management facility, and all such resolution are hereby revoked and rescinded effective December 31, 1993.

**SECTION II.
FEES AND CHARGES**

(A) Fees and charges shall be determined by weight and shall be as set forth.

(A) Fees and charges shall be determined by weight or as otherwise set forth:

1. Mixed municipal/individual solid waste per ton (both compacted and uncompacted) \$70.00
Provided, that there shall be a \$2.00 bag or other container minimum
2. Compost, grass clippings and yard garden waste per cubic yard No charge
3. Trees, shrubs, or other brush per lb. \$.01
4. Recyclable metals per lb. \$.01
5. Demolition materials per ton \$14.00
6. Appliances \$15.00 each
7. Oil Filters, regardless of size .75 each

**SECTION III.
FEES FOR TIRES**

(A) The following fees shall be charged for the deposit of tires:

1. Passenger car tires and all other tires except as otherwise provided herein \$.05/lb.
2. Non-motorized bicycle tires No charge

**SECTION IV.
FLUORESCENT LIGHT BULBS**

(A) The following fees shall be charged for the deposit of fluorescent light bulbs:

1. 4-foot lamps \$.60 per lamp
- 8-foot lamps \$.75 per lamp
- Ballasted lamps \$2.00
- Broken lamps \$2.50
- Circular lamps \$.80
- Compact lamps \$.80
- High intensity discharge lamps \$5.00
- Shattershielded lamps \$3.00
- U-shaped lamps \$.80

(B) The preceding prices are based upon the current contractor cost for recycling and • are subject to change or modification, without notice, upon the change or modification of contractor cost for recycling.

(C) The landfill accept TCB ballast at the rate of \$1.29 per lb,

(D) Lamps should not be taped together or otherwise affixed to each other when they are delivered to the transfer station.

SECTION V. GENERAL CONDITIONS

(A) Solid waste shall contain no liquids,

(B) Solid waste shall not contain any materials or waste prohibited by the Rock County Solid Waste Management Ordinance or any state law, rule or regulation,

(C) At such time as charges are made on the basis of weight, one ton or less of solid waste shall be charged at the rate for one ton. Thereafter, charges shall be made on a proportional basis based upon the actual weight of the solid waste or other material delivered to the solid waste management facility, subject to the electronic sensitivity of the scale utilized.

(D) All solid waste or other materials brought to the sanitary landfill shall be directed and placed at such sites and in such a manner as directed by the landfill attendant.

SECTION VI. SPECIAL CONDITIONS

The following special conditions shall apply to the following specific classification of solid waste.

(A) TIRES:

- 1, Only tires without rims or other attachments will be accepted.

(B) COMPOST, GRASS CLIPPINGS, YARD AND GARDEN WASTE.

1. Waste must be loose and shall not be tied or otherwise contained as placed in such containers as provided by ordinance, rule or regulation,

2. Except as otherwise provided for herein, no bags, boxes or other solid waste shall be included or mixed with said material.

3. Waste must not contain any residual pesticides.

(C) APPLIANCES.

1. For purposes of this resolution, appliances shall mean clothes dryers and washers, dishwashers, hot water heaters, garbage disposals, trash compactors, conventional ovens, ranges and stove, air conditioners, refrigerators, and freezers, furnaces, dehumidifiers, heat pumps and microwave ovens. \$15.00 per unit

(D) WASTE MOTOR OIL.

1. Waste motor oil must not contain any water, solids, solvents, or degreasers of any kind.

(E) RECYCLABLE MATERIALS - AS DEFINED BY COUNTY BOARD RESOLUTION.

No charge

**SECTION VII.
SURCHARGES, TAXES, ETC,**

The County shall collect, in addition to the fees set forth herein, such surcharges, taxes, assessments, or other charges or fees as may from time to time be required by the State of Minnesota pursuant to statute, rule, or regulation., Said fees and charges shall be in an amount set and determined by the State of Minnesota and changes therein shall not require additional action on the part of the County of Rock.

**SECTION VIII,
COLLECTION OF FEES**

(A) The landfill attendant shall be responsible for recording and remitting all fees to the County Treasurer to be placed in the landfill account.

(B) In the event any charge hereunder shall be delinquent or past due for more than 30 days, there shall be added thereto an additional surcharge of 1 1/2% per month for each month that said account remains delinquent or \$15.00, whichever is greater, provided, however, that no delinquent charge shall be assessed to any governmental entity,

**SECTION IX.
USE OF SOLID WASTE MANAGEMENT WASTE FACILITY
ON SATURDAYS, SUNDAYS, OR HOLIDAYS AND
SPECIAL HANDLING**

(A) Any individual, person or entity desiring to use the solid waste management facility at a time other than regularly scheduled hours, as determined by the County Board, shall not do so unless:

1. They shall pay, in addition to the regular charge provided for herein, an additional surcharge of \$40,00.
2. Obtain the consent of the environmental officer at least 24 hours prior to said intended use.
3. Insure and make provision that a landfill employee be present at the landfill for the purpose of the operation thereof.
4. No additional surcharge will be required on those portions of Saturdays, Sundays or holidays that the County Board of Commissioners orders the facility to be open for normal business.

(B) Other Special Handling. In the event that solid waste materials delivered to the landfill require any type of special handling, there shall be charged, in addition to the fees and charges set forth herein, an additional surcharge of \$25.00 per hour for the estimated hours needed for said special handling. The landfill attendant shall determine the estimated hours required for the special handling. Notwithstanding the provisions contained herein, no asbestos or fuel contaminated soil shall be accepted.

(C) Uncovered Load Fee. There shall be assessed a \$10.00 surcharge for any load of material, of any kind, brought to the solid waste facility not covered.

**SECTION X.
LICENSE FEES**

That the following shall be the license fees for the various licenses required pursuant to the Rock County Solid Waste Management Ordinance,

(A) Solid waste hauler license fee	\$75.00 per year
(B) Recyclable hauler license fee	\$75,00 per year

(C)	Solid waste land disposable facility initial application fee	\$100.00
	Original permit fee	\$500.00
	Renewal fee	\$250.00 per year
(D)	Composting and co-composting initial application fee	\$ 25.00
	Original permit fee	\$ 50.00
	Renewal fee	\$ 25.00 per year
(E)	Recycling facilities initial application fee	\$ 25.00
	Original permit fee	\$ 75.00
	Renewal fee	\$ 50.00 per year
(F)	Transfer station initial application fee	\$ 25.00
	Original permit fee	\$ 75.00
	Renewal fee	\$ 50.00 per year
(G)	Waste tire facility initial application fee	\$ 25.00
	Original permit fee	\$ 75.00
	Renewal fee	\$ 50.00 per year
(H)	Municipal solid waste incinerator initial application fee	\$750.00
	Original permit fee	\$1000.00
	Renewal fee	\$500.00 per year
(I)	Municipal solid waste composting initial application fee	\$750.00
	Original permit fee	\$1000.00
	Renewal fee	\$500.00 per year

SECTION XI. PUBLICATION

The resolution shall be published in the official newspaper of the County of Rock, State of Minnesota, for two successive weeks commencing with the first available publication following its adoption.

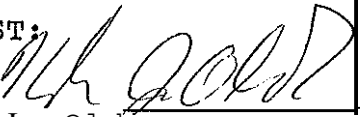
SECTION XII. EFFECTIVE DATE

This resolution and the charges herein shall be effective on January 1, 1996.

Adopted by the Board of Commissioners for Rock County,
Minnesota, this 6 day of December, 1995.

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Board of County Commissioners

ATTEST:



Kyle J. Olde
Its County Coordinator

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/s/

**RESOLUTION PROVIDING FOR THE IDENTIFICATION OF RECYCLABLE MATERIALS
PROHIBITED FROM MUNICIPAL SOLID WASTE PURSUANT TO SECTION XII, SUBDIVISION 7 OF
THE ROCK COUNTY SOLID WASTE MANAGEMENT ORDINANCE**

WHEREAS, The County of Rock Adopted a Solid Waste Management Ordinance, dated May 5, 1992, and which Ordinance authorizes and empowers the Board of Commissioners of the County of Rock to establish and provide for the regulation of the deposit of mixed municipal solid waste at the Rock County Landfill or other Solid Waste Management facility operated and conducted by the County of Rock, and,

WHEREAS, Section xn., subdivision 7, of said Ordinance specifically authorizes the County Board, by resolution, to identify specific types of recyclable materials to be prohibited from being included in municipal solid waste;

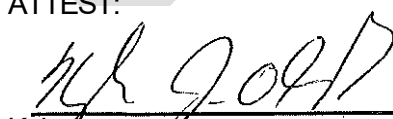
NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Rock, State of Minnesota, as follows:

1. The following recyclable items are specifically banned and prohibited from being included with in municipal solid waste and are banned from deposit at the Rock County Transfer Station or at any such other solid waste management facility contracted, maintained and operated by said county: said materials include the following:
 - A. Glass beverage and food containers (clear, brown, and green)
 - B. Tin/Steel containers
 - C. Aluminum beverage containers
 - D. The following plastics:
 - i) Polyethylene Terephthalate (#1 or "PET" containers
 - ii) High Density Polyethylene (#2 or "HDPE" containers
 - iii) Polyvinyl Chloride (#3 or "V" containers
 - E. Old Newsprint
 - F. Corrugated Cardboard
 - G. Office Paper (Including but not limited to computer paper, copy paper, colored paper, etc.)
 - H. Telephone Books
 - I. Hard Cover Books
 - J. "Junk" Mail
 - K. Magazines
2. That nothing contained herein shall prevent the delivery of said items banned from mixed municipal solid waste to any facility which has been approved or maintained by the county for the purpose of receiving such identified recyclable materials.
3. This resolution shall be effective following its adoption;

Adopted by the Board of Commissioners for Rock County, Minnesota, on this 1st day of January, 1996.

 
Ken Hilme, Chairman
Rock County Board of Commissioners

ATTEST:


Kyle Oldre, Clerk to the Board

THE SOLID WASTE MANAGEMENT ORDINANCE FOR YELLOW MEDICINE COUNTY, MINNESOTA

SECTION 1.0:

LEGAL AUTHORITY AND ABROGATION

An ordinance authorizing and providing for County Solid Waste Management; establishing standards and requirements for solid waste management operations within the incorporated and unincorporated areas of the County of Yellow Medicine; requiring licenses and permits for storage, collection, transportation, processing, and disposal of solid waste in accordance with the Yellow Medicine County Solid Waste Management Plan and Amendments thereto; embodying and supplementing the minimum standards and requirements established by rules of the Minnesota Pollution Control Agency; providing for enforcement of said requirements; imposing penalties for failure to comply with these provisions; requiring performance bonds and insurance; and promoting the health, safety, and welfare of the public pursuant to Minnesota Statutes, Chapters 115, 115A, 116, 145A.05 and 145A.11, 375,400,561.01, and 609.74.

The County Board of Commissioners of Yellow Medicine County, Minnesota, does ordain:

SECTION 2.0:

PURPOSE

The Yellow Medicine County Board has determined this regulation be adopted to:

Subsection 1. Protect public health, prevent public nuisances, and prevent contamination of air, soil, surface water, ground water and the environment of Yellow Medicine County. This protection will be best served through control of the location and operation of waste management activities, sites and facilities.

Subsection 2. Assure that all individuals are both informed and responsible for their actions regarding solid waste. Assure that all individuals understand that their actions may affect the environment and the community now and in the future.

Subsection 3. Support activities that will promote reduction, reuse, recycling and processing of materials found in the waste stream.

Subsection 4. Augment, supplement and support existing state of Minnesota controls pertaining to solid waste.

Subsection 5. To impose penalties and fines concerning illegal disposal activities.

SECTION 3.0:

DEFINITIONS

Words used in the present tense include the past and future tense; the singular number includes the plural and the plural includes the singular; the words "shall" and "must" are mandatory and the words "may" and "should" permissive.

When used in this ordinance the following terms shall have the meaning given to them or as amended in state statutes and rules.

Subsection 1. Agency means the Minnesota Pollution Control Agency, its agent, or representative.

Subsection 2. Air Contaminant means the presence in the outdoor atmosphere of any dust, fume, mist, smoke, vapor, gas or other gaseous fluid, or particular substance, differing in composition from or exceeding in concentration, the natural components of the atmosphere.

Subsection 3. Air Pollution means the presence in the outdoor atmosphere of any air contaminant or combination thereof in such quantity, of such nature and duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.

Subsection 4. Ash means the incombustible material that remains after a fuel or solid waste is incinerated.

Subsection 5. Backyard Compost Site means a site used to compost food scraps, garden wastes, weeds, lawn cuttings, leaves, and prunings from a single family or household, apartment building, or single commercial office, a member of which is the owner, occupant, or lessee of the property.

Subsection 6. Best Management Practices means practices that are capable of preventing releases and minimizing degradation of the environment, considering technical feasibility, implementability, availability, effectiveness, economic factors and environmental effects.

Subsection 7. Brush Disposal Facility means a site used exclusively for disposal of trees and tree parts including stumps, branches, and their attached leaves. Such disposal may include open burning and burial of the resulting ash and unburned tree parts.

Subsection 8. Clean Fill means materials consisting of 100 percent natural soils.

Subsection 9. Closure means actions to prevent or minimize the threat to public health and the environment posed by a facility that no longer accepts the solid waste for which it operated or was permitted, including the removal of contaminated equipment, the removal of liners, grading, applying final cover, seeding of final cover, installation of monitoring devices, construction of ground and surface water diversion structures, and gas control systems as necessary.

Subsection 10. Co-compost is defined as the controlled biological decomposition and management of selected organic solid waste that is mixed with a nutrient source, most commonly sewage sludge, which results in an innocuous, stable, humus product which can be used as a soil conditioner.

Subsection 11. Collection means the aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

Subsection 12. Commercial Hauler means any person who owns, operates, or leases vehicles for the purpose of contracting to collect or transport solid waste or source separated materials from residential, commercial or industrial property.

Subsection 13. Commission is defined as Yellow Medicine County.

Subsection 14. Compost Site means a site used to compost yard waste including all structures used to control drainage, collect and treat leachate, storage areas for incoming yard waste, and the final product.

Subsection 15. Composting means the controlled microbic degradation of organic waste to yield a humus-like product.

Subsection 16. Construction Debris means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

Subsection 17. County means any representative of Yellow Medicine County who is authorized by this ordinance or otherwise by the County Board to represent the County of Yellow Medicine in the enforcement or administration of this ordinance.

Subsection 18. County Board means the Yellow Medicine County Board of Commissioners.

Subsection 19. Cover means material approved by the Agency that is used to cover compacted solid waste in a land disposal site.

Subsection 20. Demolition Debris means solid waste resulting from the demolition of buildings, roads, and other man-made structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos.

Subsection 21. Demolition Debris Land Disposal Facility means an area of land used for the disposal of demolition debris.

Subsection 22. Disposal means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including ground water.

Subsection 23. Disposal Facility means a waste facility permitted by the Agency that is designed or operated for the purpose of disposing of waste in or on the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility.

Subsection 24. Dumping means the illegal placement of any solid waste anywhere other than an approved facility or container.

Subsection 25. Dwelling means a residential building or portion thereof intended for human occupancy but not including hotels, motels, boarding or rooming houses.

Subsection 26. Facility means all contiguous land, structures, monitoring devices, and other improvements on the land used for monitoring, treating, storing, or disposing of solid waste, leachate or residuals from solid waste processing.

Subsection 27. Financial Assurance means monetary mechanisms which are used to assure proper closure, post closure care, and contingency action at a site or facility.

Subsection 28. Garbage means discarded material resulting from the handling, processing, ♦ storage, preparation, serving and consumption of food.

Subsection 29. Generate means the act or process of producing waste, including the production or aggregation of waste occurring at an intermediate disposal facility.

Subsection 30. Generator means any person who generates solid waste.

Subsection 31. Ground Water means water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near-surface unconsolidated sediment or regolith, or rock formations deeper under ground.

Subsection 32. Hazardous Waste is defined as refuse, sludge, or other waste material or combinations of refuse, sludge or other waste materials in a solid, semisolid, liquid, or contained gaseous form which because of its quantity, concentration, or chemical, physical, or infectious characteristics may (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Categories of hazardous waste materials include, but are not limited to : explosives, flammables, oxidizers, poisons, irritants, and corrosives. Hazardous waste does not include source, special, nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Subsection 33. Household means a single detached dwelling unit or a single unit of a multiple dwelling unit.

Subsection 34. Household Hazardous Waste means waste generated from household activity that exhibits the characteristics of or that is listed as hazardous waste under Agency rules, but does not include waste from commercial activities that is generated stored, or present in the household.

Subsection 35. Incineration means the process by which solid wastes are burned for the purpose of volume and weight reduction in permitted and licensed facilities designed for such use.

Subsection 36. Industrial Solid Waste means all solid waste generated from an industrial or manufacturing process or solid waste generated from non-manufacturing activities such as service and commercial establishments. Industrial solid waste does not include .office materials, restaurant and food preparation waste, discarded machinery, demolition debris, or household refuse. (MN Rules 7035.0300 subp 45: means solid waste resulting from an industrial, manufacturing, service or commercial activity that is managed as a separate waste stream).

Subsection 37. Infectious Waste means waste originating from diagnosis, care, or treatment of a person or animal that has been .or may have been exposed to a contagious or infectious disease. Unless materials have been rendered noninfectious by procedures approved by the Minnesota Commissioner of Health, infectious waste includes:

- A. all wastes originating from persons or animals placed in isolation for control and treatment of an infectious disease;
- B. bandages, dressings, casts, catheters, tubing, and similar disposable items which have been in contact with wounds, burns, anatomical tracts, or surgical incisions and which are suspect of being or have been medically verified as infectious;
- C. all infectious anatomical waste, including human and animal parts or tissues;
- D. infectious sharps or needles;

E. laboratory and pathology waste of an infectious nature; or
F. any other waste, as defined by the Minnesota Commissioner of Health, which, because of its infectious nature, requires handling and disposal in a manner prescribed for items A to E.

Subsection 38. Junk/Salvage Yard means a site (land or buildings), place of storage, or deposit which is maintained, operated, or used for storing, buying, or selling junk, or for the maintenance or operation of an automobile graveyard at which the waste, vehicle body, or discarded material is stored, and where wastes of all types, discarded or salvaged materials and items generated from the site or from other sources, are brought, bought, sold, exchanged, stored, cleaned, packed, disassembled or handled, and shall include but not be limited to, vehicles of any type including but not limited to, inoperable vehicles, recreational vehicles, snowmobiles, off-road vehicles, and manufactured homes, machinery of any type and/or parts thereof, scrap metal, scrap copper, brass, rope, rags, batteries, paper, solid waste, ferrous and non ferrous material, paper, cardboard, rubber products, plastic products, glass products, lumber products, masonry products, fiber products, farm and construction machinery and/or parts thereof, and items, materials, and products resulting from the salvaging, storing, wrecking, dismantling, or crushing of vehicles or any other items.

Subsection 39. Land Disposal Facility means any tract or parcel of land, including any constructed facility, at which solid waste is disposed of in or on the land in a safe and environmentally sound manner.

Subsection 40. Land Pollution means the presence in or on the land of any waste or waste by-products in such quantity, of such nature and duration, and under such condition as would negatively affect any waters of the state, create air contaminants, cause air pollution, or contaminate soils at the site making the site unacceptable for further use.

Subsection 41. Landspreading/Land Application means the placement of waste or waste by-products on or incorporated into the soil surface.

Subsection 42. Landspreading/Land Application Site means any land used for the purpose of landspreading or the land application of waste or waste by-products.

Subsection 43. . Leachate means liquid that has percolated through solid waste and has extracted, dissolved, or suspended materials from it.

Subsection 44. Leachate Management System means the structures constructed and operated to contain, transport, and treat leachate, including liners, collection pipes, detection systems, holding areas, and treatment facilities.

Subsection 45. License means express written permission as granted by the County Board to engage in solid waste management activities.

Subsection 46. Licensee means the person who has been issued a license by the County Board for solid waste management purposes pursuant to this ordinance.

Subsection 47. Local Government Unit means cities, towns, and counties.

Subsection 48.. Major Appliances means clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers.

Subsection 49. Market means any person which accepts and recycles recyclable materials.

Subsection 50. Marketed means delivery of recyclable materials to and acceptance by a market.

Subsection 51. Medical Waste includes infectious waste, as defined in the Infectious Waste Control Act of 1989, Minn. Stat. section 116.76, subdivision 12(Supp. 1989), as amended, or its successor, and waste originating from the diagnosis, care or treatment of a person or animal, or waste resulting from biological research, whether or not the waste has been decontaminated.

Subsection 52. Mixed Municipal Solid Waste (MMSW) means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, used oil, and other materials collected, processed, and disposed of as separate waste streams.

Subsection 53. Mixed Municipal Solid Waste (MMSW) Compost Facility means a site used to compost or co-compost solid waste including all structures or processing equipment used to control drainage, collect and treat leachate, and storage areas for the incoming waste, the final product and residuals resulting from the composting process.

Subsection 54. Monitoring Well has the meaning given it in part 4725.0100, subpart 30a, or its successor.

Subsection 55. Monitoring Point means any installation used to determine the quality or physical characteristics of ground water, surface water, or water in the unsaturated zone.

Subsection 56. MPCA means the Minnesota Pollution Control Agency.

Subsection 57. Municipality means a city, village, borough, county, town, sanitary district, school district, or other governmental subdivision or public corporation, or agency created by the legislature.

Subsection 58. Nuisance means a thing, act, failure to act, or use which: A) annoys, injures or endangers the public health and or safety; and or B) lowers the aesthetic value of any property or adjoining lands.

Subsection 59. Open Burning means burning any matter whereby the resultant combustion products are emitted directly to the atmosphere without passing through an adequate stack, duct, or chimney including, but not limited to, backyard burning barrels.

Subsection 60. Open Dump means a land disposal site at which solid waste is disposed of in a manner that does not protect the environment, is susceptible to open burning, and is exposed to the elements, vermin, and scavengers.

Subsection 61. Operations means any site, facility, or activity relating to solid waste management purposes pursuant to this ordinance.

Subsection 62. Operator means the person responsible for the overall operation of a facility.

Subsection 63. Owner means the person or persons who own a site, facility or operation or part thereof.

Subsection 64. Person means any human being, municipality or other governmental or political subdivision or other public agency, public or private corporation, partnership, firm, association, organization, receiver, trustee, assignee, agent or other legal representative of any of the foregoing, or any other legal entity.

Subsection 65. Personnel means all persons who work at or oversee the operation of a solid waste management facility, and whose actions or failure to act may result in noncompliance with the requirements of this ordinance.

Subsection 66. Pollutant has the meaning given it in Minnesota Statutes, Section 115.01, Subdivision 13, or its successor.

Subsection 67. Post Closure Care means actions taken for the care, maintenance, and monitoring of a facility after closure that will prevent, mitigate, or minimize the threat to public health and the environment posed by the closed facility.

Subsection 68. Problem Material means a material that, when it is processed or disposed of with mixed municipal solid waste, contribute to one or more of the following results: (1) the release of a hazardous substance, or pollutant or contaminant, as defined in section 115.02, subdivisions 8, 13, and 15, or its successor; (2) pollution of the water as defined in section 115.01, subdivision 5, or its successor; (3) air pollution as defined in 116.06, subdivision 3, or its successor; or (4) a significant threat to the safe or efficient operation of a solid waste facility.

Subsection 69. Processing means the treatment of solid waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical or biological modification.

Subsection 70. Processing Facility means a site used to process solid waste, including all structures, equipment used to process the waste, storage areas for the incoming waste, the final product and residuals resulting from the process, and may be designated for recyclable materials only.

Subsection 71. Public Health Nuisance means any activity or failure to act that adversely affects the public health.

Subsection 72. Putrescible material means solid waste which is capable of being rotten, or which may reach a foul state of decay or decomposition.

Subsection 73. Recovered Materials means materials that have been separated from the solid waste stream for reuse and that have been processed, modified, or converted to be a raw material.

Subsection 74. Recyclable Materials means materials that are separated from mixed municipal solid waste for the purpose of recycling including paper, glass, plastics, metals, automobile oil and batteries. Refuse derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subsection 75. Recycling means the process of collecting, preparing for market, and marketing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of the recyclable materials in a manner that precludes further use. In addition, recycling means yard waste composting, and recycling that occurs through hand separation of materials that are then delivered for reuse in

their original form or for use in manufacturing processes that do not cause the destruction of the recyclable materials in a manner that precludes further use.

Subsection 76. Recycling Facility means a site used to collect, process, and repair recyclable materials for markets where they will be reused in their original form or using them in manufacturing processes that do not cause the destruction of the materials in a manner that precludes further use.

Subsection 77. Refuse means putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, incinerator ash, incinerator residue, street sweepings, and residential, commercial, and industrial wastes, including municipal treatment wastes which do not contain free moisture.

Subsection 78. Refuse Derived Fuel means the product resulting from techniques or processes used to prepare solid waste by shredding, sorting, or compacting for use as an energy source.

Subsection 79. Residence means any building or portion thereof used as a dwelling or sleeping area for people.

Subsection 80. Resource Recovery means the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste.

Subsection 81. Resource Recovery Facility is defined as a waste facility established and used primarily for resource recovery, including related and appurtenant facilities such as transmission facilities and transfer stations primarily serving the resource recovery facility.

Subsection 82. Responsible Party is the owner, operator, or successor in interest of a solid waste facility.

Subsection 83. Rubbish means nonputrescible solid wastes, including ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind.

Subsection 84. Sanitary Landfill means a land disposal site employing any engineering method of disposing of solid waste on land in a manner that minimizes environmental hazards by spreading the solid waste into the smallest particle volume, and applying cover material at the end of each operating day, or at intervals as may be required by the agency.

Subsection 85. Satellite Vehicle means a vehicle used to collect solid waste for subsequent transfer into another, usually larger, vehicle or container for transport to a solid waste management facility.

Subsection 86. Scavenging means the removal of waste materials from a licensed solid waste facility or county owned or operated recycling or solid waste facility;

Subsection 87. Septage means the liquid and solid material removed from an individual sewage treatment system, portable toilet, Type III marine sanitation device, holding tank or any similar treatment works that receives only domestic sewage. Septage does not include industrial wastes or wastes from grease traps.

Subsection 88. Screening means the placement of man-made or natural barriers such as a fence, tree line, or berm so as to prevent public view of potentially unsightly or nuisance material such as junked automobiles.

Subsection 89. Self Generated Solid Waste is any person owning or operating a residence, business, an industry or commercial establishment which generates solid waste by its operations.

Subsection 90. Sewage Sludge means the solids and associated liquids in municipal waste water which are encountered and concentrated by a municipal wastewater treatment plant. Sewage sludge does not include incinerator residues and grit, scum, or screenings removed from other solids during treatment.

Subsection 91. Shoreland means land located within the following distances from the ordinary high water elevation of public waters: 1,000 feet from ordinary high water level of a lake, pond, or flowage; and 300 feet of a river or stream whichever is greater. The limits of shorelands may be reduced whenever waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.

Subsection 92. Site means the spatial location of a proposed or actual solid waste management activity or facility.

Subsection 93. Sludge means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial waste water treatment plant, water supply treatment plant, or air containment treatment facility, or other waste having similar characteristics and effects.

Subsection 94. Solid Waste means garbage, rubbish, refuse, sludge, from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semi solid, liquid, or contained gaseous form, resulting from residential, industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common water resources, such as silt, dissolved and suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under section 402 of the federal Water Pollution Control Act, as amended, or its successor, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended, or its successor.

Subsection 95. Solid Waste Collection means the gathering of solid waste from public and private places.

Subsection 96. Solid Waste Land Disposal Facility means a facility used to dispose of solid waste in or on the land.

Subsection 97. Solid Waste Management Facility means all real or personal property which is or may be needed for the processing or disposal of waste. It includes but is not limited to the storage, collection, transportation, processing or reuse, conversion, or disposal of solid waste in an environmentally sound manner.

Subsection 98. Solid Waste Management Plan means the Solid Waste Management Plan for Yellow Medicine County Minnesota.

Subsection 99. Solid Waste Administrator means the Solid Waste Administrator of Yellow Medicine County.

Subsection 100. Solid Waste Storage means the holding of solid waste near the point of generation.

Subsection 101. Solid Waste Transportation means the conveying of solid waste from one place to another, by means of vehicle, rail car, water, vessel, conveyer, or other means.

Subsection 102. Source Separated Materials means materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in the manufacturing process.

Subsection 103. Source Separation means the separation of recyclable materials from waste by the generator prior to collection for recycling.

Subsection 104. State means the State of Minnesota.

Subsection 105. Tire means a pneumatic tire or solid tire for motor vehicles as defined in section 169.01. MN Stat 115A.90 Subd. 7, or its successor.

Subsection 106. Tire Collector means a person who owns or operates a permitted site, or a site exempted from permit, used for the storage, collection, or deposit of waste tires.

Subsection 107. Tire Dump means an establishment, site, or place of business without a required tire collector or tire processor permit that is maintained, operated, used or allowed to be used for storing, keeping, or depositing unprocessed waste tires.

Subsection 108. Tire Processing means producing or manufacturing useable materials, including fuel, from waste tires including necessary incidental storage activity and permitted by the Agency.

subsection 109. Tire Processor means a person permitted by the Agency to engage in the processing of waste tires.

Subsection 110. Tire Transporter means a person provided with a tire transporter number from the Agency who removes waste tires from the source of generation, a tire dump, or a waste tire facility.

Subsection 111. Toxic Waste means substances, whether liquid, gaseous or solid form, which when collected, stored, transported or disposed of, may be acutely toxic to humans or other animals, or plant life, or be directly damaging to property including, but not limited to, pesticides, acids, caustics, pathological wastes, radioactive materials, flammable or explosive materials, and similar noxious substances.

Subsection 112. Transfer Station means an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility.

Subsection 113. Transportation is defined as the conveying of solid waste from one place to another.

Subsection 114. Waste Reduction means an activity that prevents generation of waste including reusing a product in its original form, increasing the life span of the product, reducing material used in production and packaging, or changing procurement, consumption, or waste generation habits to result in smaller quantities of waste generated.

Subsection 115. Waste Tire means a tire that is no longer suitable for its original intended purposes because of wear, damage or defect.

Subsection 116. Waste Tire Facility means an area where more than 50 waste tires or an equivalent amount of tire derived products are collected, deposited, stored, or processed. The incidental storage of tire derived products at the site of final use does not make the site a waste tire facility.

Subsection 117. Waste Tire Collection Site means a licensed waste facility used for the storage of waste tires prior to their transport to a waste tire processing facility.

Subsection 118. Waste Tire Processing Facility means an area where waste tires, or tire derived products are processed. A waste tire processing facility must meet the qualifications in Minn. Rules part 9220.0470.

Subsection 119. Waste Tire Storage Facility means an area where waste tires, or tire derived products, are collected, deposited, or stored. A waste tire storage facility is a facility that does not meet the qualifications for regulation as a waste tire transfer facility or a waste tire processing facility.

Subsection 120. Waste Tire Transfer Facility means an area where waste tires are concentrated for transport to waste tire processing facilities. A waste tire transfer facility must meet the qualifications in Minn. Rules part 9220.0460.

Subsection 121. Water Pollution means the contamination of any waters of the state so as to create a nuisance or render such waters unclean, obnoxious or impure, so as to be actually harmful or detrimental or injurious to public health, safety or welfare, to domestic commercial or industrial use, or to animals, birds, fish or aquatic life.

Subsection 122. Water Table means the surface of the ground water at which the pressure is atmospheric. Generally this is the top of the saturated zone.

Subsection 123. Waters of the State means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state. Waters of the state are not necessarily public waters.

Subsection 124. Wetland means a surface water feature classified as a wetland in the publication entitled "Classification of Wetlands and Deep Water Habitats of the United States," written and published by the United States Fish and Wildlife Service Biological Services Program, FWS 035-71/31, December 1979, or its successor, which is incorporated by reference. The publication is not subject to frequent change. In addition, the Solid Waste Officer will utilize the January 1989, or its successor, Federal Manual for Identifying and Delineating Jurisdictional Wetlands to identify wetlands. Wetland does not include public water wetlands and public waters that are designated on the DNR public waters inventory maps prepared under Minnesota Statutes, section 103G.201.

Subsection 125. White Good means an abandoned, discarded, or inoperable refrigerator, freezer, washer, dryer, dishwasher, water heater, trash compactor, air conditioner, oven, range, stove, microwave oven, dehumidifier, residential furnace, or related household appliance.

Subsection 126. Yard Waste means garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

SECTION 4.0:

GENERAL PROVISIONS AND RESPONSIBILITIES

Subsection 1. This ordinance shall apply to all existing permits, licenses, and conditional use permits presently in existence and hereafter granted. All existing permits, licenses and conditional use permits presently in existence and hereafter granted shall be in compliance with all other county ordinances, local, state, and federal guidelines, statutes, rules and regulation, and in compliance with the Yellow Medicine County Solid Waste Management Plan.

Subsection 2. The Solid Waste Officer shall have the right and duty to administer and enforce this ordinance. Rights and duties of the Solid Waste Officer shall include, but shall not be limited to those described in this section.

Subsection 3. The Solid Waste Officer shall have the right and duty to investigate complaints of violations of this ordinance.

Subsection 4. The Solid Waste Officer shall have the right and duty to inspect private property to determine if the property owner is in compliance with the provisions of this ordinance.

Subsection 5. Routine inspection and evaluation of solid waste management activities, sites, or facilities shall be made by the Solid Waste Officer in such frequency to ensure consistent compliance by the operation with the provisions of this ordinance. An applicant for a license and any licensee shall allow free access to the Solid Waste Officer; provided that the entrance and activity is undertaken after reasonable notice and during normal business hours, except as provided in Minnesota Statutes Chapter 115A.882 RECORDS; INSPECTION; for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, any other applicable statute, or for the purpose of making written and documented notice of any deficiencies, recommendations for their correction, and the date by which corrections shall be accomplished.

Subsection 6. The Solid Waste Officer shall have the right and duty to review and consider all license applications submitted to the Solid Waste Officer for operation of all solid waste management activities, sites, or facilities within the County.

Subsection 7. The Solid Waste Officer shall have the right and duty to make recommendations to the County Board regarding imposing solid waste management activity, site, or facility specific conditions on licenses.

Subsection 8. The Solid Waste Officer may make recommendations to the County Board concerning agreements with responsible parties to address the operation, closure and post closure requirements for licensed and unlicensed solid waste facilities.

Subsection 9. The Solid Waste Officer shall have the right and duty to recommend, when necessary, to the County Board, that a solid waste license be issued, denied, revoked, or suspended.

Subsection 10. The Solid Waste Officer shall have the right and duty to recommend, when necessary, to the County Attorney's Office, that legal proceedings be initiated against a certain solid waste management activity, site or facility.

Subsection 11. The Solid Waste Officer shall have the right and duty to recommend to the County Board identified solid waste management needs of the county, and the development and implementation of plans to meet those needs.

Subsection 12. The Solid Waste Officer shall have the right and duty to encourage and conduct studies, investigations, and research relating to solid waste management, such as methodology, chemical and physical considerations, and engineering.

Subsection 13. The Solid Waste Officer shall have the right and duty to advise, consult, and cooperate with other governmental agencies in the furtherance of the purposes of this ordinance.

SECTION 5.0:- GENERAL SOLID WASTE STORAGE AND DISPOSAL REQUIREMENTS

SECTION 5.0:

SOLID WASTE STORAGE

Subsection 1. Solid Waste Accumulation. The owner, lessee or occupant of any property, premises, business establishment, or industry shall be responsible for the satisfactory storage of all solid waste accumulated at that premise, business establishment or industry. The owner, lesee or occupant of any property, premises, business establishment or industry shall be responsible for maintaining the property and any structures on the property free of improperly stored solid waste accumulations. The owner, lesee or occupant of any property, premises, business establishment or industry shall be responsible for maintaining the same in a nuisance free, pollution free and aesthetic manner. This includes removal of: animal feces; animal carcasses; inoperable machines; inoperable vehicles; appliances; fixtures; and equipment of damaged, deteriorated or obsolete condition; broken furniture, boxes, crates, pallets, salvage, and other debris; and any other form of solid waste. No building, structure, property or premise shall be constructed or maintained for human occupancy, use or assembly without adequate facilities for sanitary and safe storage, collection, transportation, and disposal of all solid wastes.

All solid waste storage shall be in compliance with the regulations of local, state and federal ordinances. statutes, rules, regulations, and guidelines.

Nothing in this section shall unreasonably restrict commonly accepted activities of farms and duly established automobile, scrap iron, metal recyclers, or salvage operations that maintain such operations in an orderly, pollution free and nuisance free manner and in compliance with other County ordinances and the regulations of federal, state, and local governments and their regulatory agencies.

Subsection 2. Storage Containers Required. Every property shall be supplied with adequate solid waste storage containers. The containers shall be provided by the owner of the property or by contract with a Commercial Hauler. The owner of the property shall use the containers for solid waste storage. If the property owner does not occupy the property, the property owner will cause the occupant or tenant to use the containers for solid waste storage. The property owner

shall not permit solid waste to be placed in locations or in a manner that the solid waste may be scattered by wind, water, animals, or insects.

Subsection 3. Container Construction. Solid waste storage containers shall be of sound construction and resistant to animal and insect entry. Containers shall be constructed of rust and impact resistant materials and shall be equipped with tight-fitting covers. The property owner is responsible for maintaining containers in a neat, clean, sanitary, and leak-resistant condition. If the container is supplied by a Commercial Hauler, the Commercial Hauler shall ensure that the container is leak resistant.

Subsection 4. Frequency of Container Service. Every property owner shall cause container contents to be removed and deposited at a licensed waste management facility at such frequency so as to not create a nuisance, public health nuisance, safety, or pollution hazard. Solid waste stored on public or private property for collection or removal shall not be stored more than two (2) weeks without the written approval of the Solid Waste Officer. Source separated recyclables materials suitable for recycling may be stored for a longer period of time if stored in an acceptable manner that does not cause a nuisance, public health nuisance, safety, or pollution hazard.

Subsection 5. Waste Materials too Large for Containers. Waste objects too large or otherwise unsuitable for storage containers shall be stored in a manner that does not cause a nuisance, public health nuisance, safety, or pollution hazard.

Subsection 6. Recyclables Storage. Recyclables materials shall be place indoors, or in side or rear yards if they are fully screened from neighboring properties and public streets. Recyclable storage shall be in a nuisance free, pollution free and aesthetic manner. The County Board may, by resolution, establish other container standards.

Subsection 7. Hazardous Waste Storage. Hazardous wastes shall be stored in leakproof containers which are adequately labeled, in. a safe location and in compliance with the regulations of Federal, State (Minn. Rules Ch. 7045) and Local Governments, and their regulatory agencies.

SECTION 6.0:

SOLID WASTE DISPOSAL

Subsection 1. License Required. No person shall use, cause, permit or allow land or property under his/her ownership or control to be used for solid waste disposal or management purposes except at an operation for which a license has been granted by the County Board. Individual farm households may use land under the farm households control for solid waste disposal if the disposal meets the requirements of Minnesota Statute 17.135 (Appendix A). No such disposal shall be located closer than 100 feet from the normal high water mark of waters of the state or less than five feet above the groundwater table. No solid waste disposed of at such site shall be visible from public roads or other adjacent properties, public or private.

Solid waste disposal license requirements are provided for in Section 27 of this ordinance.

Subsection 2. General Powers. As provided for in Minnesota Statute 375.18, Yellow Medicine County hereby prohibits the deposit of solid waste within the county not otherwise allowed by law. The County may require the owners or occupants of property to remove unauthorized deposit of solid waste. If the solid waste is not removed, the County may provide for removal of the solid waste at the owner's or occupant's expense, and provide for the expense to be a lien on the property to be collected as a special assessment. The County may also seek civil

penalties and damages from persons responsible for unauthorized deposit of solid waste under section 11SA.99, which if unpaid, may be imposed as a lien on property owned by the responsible persons to be collected as a special assessment.

Subsection 3. Transfer of Solid Waste. Solid waste shall not be transferred to another property or solid waste container except for the transfer of solid wastes to a licensed solid waste management facility.

Subsection 4. Scavenging of Solid Waste and Recyclables. It shall be a violation of this ordinance for any person to scavenge, collect, or otherwise remove recyclable or solid waste materials from County owned or privately owned recycling sheds, containers, or facilities, or from any container located on any private or public property.

Subsection 5. Dumping of Solid Waste or Recyclables in Recycling Facilities. It shall be a violation of this ordinance for any person to dump, place, or otherwise deposit solid waste in County owned or privately owned recycling sheds, containers, or facilities, or mix source separated recyclables with solid waste in any manner. Any commercial hauler or recycler is prohibited from using County owned recycling sheds, containers, or facilities, to dump solid waste or recyclables unless so authorized by the County.

Subsection 6. Unauthorized Disposal. Pursuant to Minnesota Statutes 11SA.99, a person who unlawfully places any portion of solid waste in or on public or private lands, shorelands, roadways, or waters is subject to a civil penalty of not less than twice nor more than five times the costs incurred by a state agency or political subdivision to remove, process, and dispose of the waste. A state agency or political subdivision that incurs costs as described in this section may bring action to recover the civil penalty, related legal, administrative, and court costs, and damages for injury to or pollution of the lands, shorelands, roadways, or waters where the waste was placed if owned or managed by the entity bringing the action. CivU penalties and damages collected must be collected and distributed as required in Minnesota Statute 487.33. A private person may join an action by the state or political subdivision to recover a civil penalty under subdivision 1 to allow the person to recover damages for waste unlawfully placed on the person's property.

Subsection 7. Open Dumps. It shall be a violation of this ordinance for any person to maintain an open dump. The owner of any open dump in existence at the time this ordinance is enacted shall cease disposal, remove solid wastes, and cause the solid wastes to be disposed at a licensed solid waste management facility.

Subsection 8. Abatement. Waste placed in open dumps or illegally disposed of shall be collected and transported to a licensed waste facility for proper disposal by the property owner. The property owner shall notify the Solid Waste Officer at least 48 hours prior to commencement of excavation/removal activity. A receipt or other documentation approved by the Solid Waste Officer which provides evidence to satisfactory and legal disposal of the solid waste shall be submitted to the Solid Waste Officer.

The owner of the property on which an open dump is located may be required to place on record, with the Yellow Medicine County Recorder, a form provided by the Solid Waste Officer that provides the public notice of the existence and location of the open dump and of the obligations placed upon parties holding an interest in the property and any restrictions which may affect the use of the property.

Subsection 9. Littering. Consistent with Minnesota Statute 169.42 and civil liability for littering in Minnesota Statute 169.421, no person shall throw, deposit, place or dump, or cause to be

thrown, deposited, placed or dumped in water, upon any street or highway, or upon any public or privately owned land adjacent thereto any snow, ice, glass, nails, tacks, wire, cans, garbage, swill, papers, ashes, refuse, carcass of any dead animal, offal, trash or rubbish or any other form of offensive matter or any other substance likely to injure any person, animal or vehicle upon any such street or highway.

Subsection 10. Burning Prohibited. The burning of solid waste shall be prohibited except as allowed at a permitted solid waste facility. Specific materials and waste classifications may be burned as permitted under the terms and exemptions of the DNR "Burning Permit Regulations" (Appendix B).

SECTIONS 7.0- 210: SPECIAL WASTE AND PROBLEM MATERIALS MANAGEMENT AND PROHIBITIONS

SECTION 7.0:

HOUSEHOLD HAZARDOUS WASTE

Subsection 1. County Management Guideline. Household Hazardous Waste must be separated from other household wastes and managed according to the Household Hazardous Waste Management Program of Yellow Medicine County.

Subsection 2. Agency Rule. Household Hazardous Waste collection, storage, transportation, and management activities must be in accordance with applicable Agency rules. The owner of a MMSW processing or disposal facility must provide a management plan to the Agency prior to the granting or renewal of an Agency permit.

SECTION 8.0:

LEAD ACID BATTERIES

Subsection 1. Prohibition. A person may not place a lead acid battery in mixed municipal solid waste or otherwise dispose of a lead acid battery.

Subsection 2. Agency Rules. All storage, handling, recycling, and disposal of lead acid batteries shall be in accordance with Minnesota Rules and Statutes, according to Minnesota Statute 115A.915, or as amended.

Subsection 3. Retail Requirements. Any person selling lead acid batteries at retail or offering lead acid batteries for retail sale shall comply with the surcharge, collection, notice, purchase and return requirements in Minnesota Statute 325E.115 and 325E.1151

Subsection 4. Transportation. A person who transports used lead acid batteries from a retailer must deliver the batteries to a recycling facility. The failure to deliver each used lead acid battery is a separate violation, according to Minnesota Statute 115A.9152, or as amended.

SECTION 9.0:

DRY CELL BATTERIES

Subsection 1. Prohibition. A person may not place a dry cell battery containing mercuric oxide electrode, silver oxide electrode, nickel-cadmium, or sealed lead acid in mixed municipal solid waste that was purchased for use or used by a government agency, or an industrial, communications, or medical facility.

Subsection 2. Manufacturer Responsibility. A manufacturer of dry cell batteries must comply with Minnesota Statute 115A.9155.

SECTION 10.0:

RECHARGEABLE BATTERIES AND PRODUCTS

Subsection 1. Prohibition. A person may not place in mixed municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a nonremovable rechargeable battery, or a product powered by rechargeable batteries or rechargeable battery pack, from which all batteries or battery packs have not been removed.

Subsection 2. Manufacturer Responsibility. A manufacturer of dry cell batteries must comply with Minnesota Statute 115A.9157.

SECTION 11.0:

MOTOR VEHICLE FLUIDS AND FILTERS

Subsection 1. Prohibition. It shall be a violation of this ordinance for a person to knowingly place gasoline, diesel fuel, motor oil, brake fluid, power steering fluid, transmission fluid, motor oil filters, or antifreeze in solid waste or in a solid waste management facility other than a recycling collection facility or a household hazardous waste facility, in or on the land unless approved by the Agency, in or on the waters of the state, or in a storm water or waste water collection or treatment system, unless an exception is provided for in Minnesota Rules and Statutes, and Minnesota Statute 11SA.916, or as amended.

Subsection 2. Retail Requirements. Any person selling at retail or offering motor oil for retail sale shall comply with the posting and collection requirements in Minnesota Statute 325E.11.

SECTION 12.0:

MERCURY PROHIBITION

Subsection 1. Prohibition. A person may not place mercury or a thermostat, thermometer, electric switch, appliance, or medical or scientific instrument from which the mercury has not been removed for reuse, recycling, or otherwise managed, in solid waste or in a waste water disposal system. A person may not knowingly place mercury or a thermostat, thermometer, electric switch, appliance, or medical or scientific instrument from which the mercury has not been removed for reuse, recycling or otherwise managed, in a solid waste processing facility or in a solid waste disposal facility. A person may not knowingly place a fluorescent or high intensity discharge lamp in solid waste or in a solid waste facility, except at a household hazardous waste collection or lamp recycling facility. A person may not operate a lamp recycling facility without obtaining a permit or license for the facility from the Agency, according to Minnesota Statute 11SA.932, or as amended.

Subsection 2. Mercury Management. Mercury shall be managed in accordance with Minnesota Statutes 116.92, 116.93, and other applicable state statutes and rules.

SECTION 13.0:

RECYCLABLE MATERIALS PROHIBITION

Subsection 1. Prohibition. A disposal facility or a recycling facility that is composting waste, burning waste, or converting waste to energy or materials for combustion, may not accept source separated recyclable materials, and a solid waste collector or transporter may not deliver source separated recyclable material to such a facility, except for recycling or transfer to a recycler, unless the county has determined that no other person is willing to accept the recyclable material, according to Minnesota Statute 115A.95, or as amended.

SECTION 14.0:

TELEPHONE DIRECTORIES

Subsection 1. Prohibition. A person may not place a telephone directory as defined in Minnesota Statute 115A.951, in solid waste, in a disposal facility, or in a resource recovery facility.

Subsection 2. Recycling Responsibility. Persons responsible for the printing, binding, and collection of telephone books must provide for the recyclability and recycling in accordance with Minnesota Statute 115A.91.

SECTION 15.0:

LEAD PAINT WASTE

Subsection 1. Disposal. Notwithstanding any other law, a person who disposes of residential lead waste paint in the state may dispose of the waste at a land disposal facility that meets the requirements of Minnesota Rules 7045, a facility that meets the requirements for a new mixed municipal solid waste land disposal facility under Minnesota Rules 7035, that began operation after January 1, 1989, a demolition debris land disposal facility equipped with a clay or artificial liner and leachate collection system, or a solid waste incinerator ash landfill if disposal is approved by the Agency, according to Minnesota Statute 116.875, or as amended.

Subsection 2. Responsibility. A person whose activities produce residential lead paint waste is responsible for the management and proper disposal of the waste. When residential lead paint waste is produced by activities of a person other than the occupant of the residence from which the waste is removed, the person shall not leave the residential lead paint waste at that residence and shall not transfer responsibility for managing or disposing of the waste to the occupant. Residential lead paint waste produced by activities of the occupant of the residence from which the waste is removed must be managed as provided by law or guidelines for household hazardous waste.

Subsection 3. Demolition Debris. Residential lead paint waste attached to woodwork walls or other elements removed from the structure of a residence that constitute demolition debris may be disposed of at a licensed demolition debris land disposal facility.

Subsection 4. Disposal Prohibition. No person shall dispose of residential lead paint waste at an unlined land disposal facility. No person shall send or accept residential lead paint waste for incineration by a mixed municipal solid waste incinerator.

SECTION 16.0:

DEMOLITION DEBRIS

Subsection 1. Licensing Required. Demolition debris disposal facilities designed for greater than 15,000 cubic yards total capacity and operating more than a total of 12 consecutive months shall be licensed by the County in accordance with Section 27 and Section 30 of this ordinance.

Subsection 2. Permit-by-Rule. Demolition debris disposal facilities designed for less than 15,000 cubic yards total capacity and operating less than 12 consecutive months, not located adjacent to another demolition debris permit by rule facility and in compliance with Minnesota Pollution Control Agency rules parts 7035.2525 to 7035.2655, 7035.2825, and 7035.2855, may be permitted by the county provided that the following requirements are met:

A. The permittee shall obtain a demolition debris land disposal facility permit-by-rule notification form from the Minnesota Pollution Control Agency.

B. The permittee shall provide detailed information on the notification form and submit one copy to the Agency and one copy to the Solid Waste Officer.

C. The permittee shall provide to the Solid Waste Officer sufficient documentation to enable the County Board to determine whether the applicant is financially and operationally capable of properly operating, maintaining, and closing the permit-by-rule facility.

D. The permittee shall provide to the Solid Waste Officer such additional information as may be required by the Solid Waste Officer.

Subsection 3. Recommendation for Approval or Denial. After the applicant has complied with and completed the requirements of Section 16, Subsection 2, the Solid Waste Officer shall review the information and give a recommendation to the County Board concerning whether the application should be approved or denied. If a negative recommendation is made, the applicant and the Agency shall be notified in writing of the reasons why the County Board denied the application. Such denial shall be without prejudice to the applicant's right to an appearance before the County Board or to the applicant's right to file a further application after revisions are made to satisfied objections specified as reasons for denial.

Subsection 4. Closure and Recording of Permit-by-Rule. The permit-by-rule facility shall be inspected and approved for cover by the Solid Waste Officer before any placement of final cover. A record of the area containing all information submitted throughout the application and approval process and any other information submitted prior to closure shall be filed by the permittee at the Office of the County Recorder.

Subsection 5. Reuse or Recycling of Demolition Debris. Yellow Medicine County will authorize the stockpiling of concrete or other recyclable or reusable demolition debris for the purpose of reuse or recycling on a case-by-case basis. Authorization to stockpile demolition debris for the purpose of reuse or recycling will be for a period no greater than one (1) year. Extensions may be considered, provided that compliance with local and state regulations has been demonstrated. The authorization for an extension to store or stockpile recyclable or reusable

demolition debris is fully contingent upon the applicant meeting or exceeding all applicable County and MPCA solid waste storage standards. The authorization may be contingent upon the applicant furnishing to the County a bond as specified in Section 27, Subsection 10. The applicant shall meet the requirements of Section 16, Subsection 2, as applicable. Approval or denial of an application shall be conducted consistent with Section 16, Subsections 3, and 4. Any site used for stockpiling demolition debris for reuse or recycling as authorized in this section shall be returned to its original condition thirty (30) days prior to the termination of such authorization.

Bituminous may be stockpiled according to the provisions of this subsection provided that a conditional use permit for gravel operations has been obtained or by authorization provided in this subsection.

SECTION 17.0:

CONSTRUCTION DEBRIS

Subsection 1. Applicability. All construction debris shall be disposed of in a land disposal facility that is approved and permitted by the Agency for the disposal of construction debris, except construction debris that is reused or recycled. Construction debris is prohibited from disposal in or on the land at any construction site.

Subsection 2. Construction sites. Construction debris shall be contained at construction sites in a manner that will ensure against littering, nuisance, public health nuisance, pollution or safety hazards.

SECTION 18.0:

WASTE TIRE MANAGEMENT

Subsection 1. Prohibition. The disposal of waste tires in the land is prohibited according to Minnesota Statute 115A.904, or as amended.

Subsection 2. Applicability. The requirements of this section shall apply to any person who disposes of, transports, stores, processes, or otherwise possesses waste tires within the County of Yellow Medicine.

Subsection 3. Definitions. The terms in this section shall have the meanings as defined in Minnesota Statute 115A.90 and Minnesota Rules parts 9220.0110 and .0210.

Subsection 4. Disposal. Any person who disposes of waste tires within the County of Yellow Medicine shall: 1) deliver the waste tires to a person who possesses a valid Waste Tire Transporter Identification number as required by Minnesota Rules part 9220.0530; 2) deliver the waste tires directly to a permitted or exempt waste tire storage, transfer or processing facility; or 3) obtain a permit from the Agency to store or process the waste tires as required in Minnesota Rules parts 9220.0230 and .0240. Such storage or processing shall be in accordance with all conditions of the state permit.

Subsection 5. Disposal Exemptions. A person may store or process waste tires without a state permit if: 1) such storage or processing is pursuant to an exemption under Minnesota Rules parts 9220.0230, subpart 2: 2) fewer than 50 waste tires are stored at any one time; or 3) fewer than 50 waste tires are processed during any 30 days.

Subsection 6. Transportation. Any person who transports waste tires for hire in the County of Yellow Medicine shall first obtain a Waste Tire Transporter Identification Number from the Agency as required by Minnesota Rules part 9220.0530.

Subsection 7. Transportation Exemptions. A person may transport waste tires without a Waste Tire Transporter Identification Number if such transportation is pursuant to an exemption under Minnesota Rules part 9220.0530, subpart 2.

Subsection 8. Transportation Conditions. A person who transports waste tires for hire shall: 1) deliver the waste tires to a waste tire processing, storage, or transfer facility that has a state permit or is exempt from the requirement to obtain a state permit; and 2) transport the waste tires in accordance with all conditions of the applicable Waste Tire Transporter Identification Number.

Subsection 9. Abatement of Waste Tire Dumps. Waste tire dumps shall be promptly terminated and properly closed. All waste tires shall be removed from the premises and shall be processed for reuse, recycling, incineration or final disposal in compliance with Agency rules.

Subsection 10. Retail Requirement. A person who sells automotive tires must accept waste tires from customers for collection and recycling. The person must accept as many waste tires from each customer as tires are bought by the customer.

SECTION 19.0: **WHITE GOODS**

Subsection 1. Prohibition. A person may not place major appliances in mixed municipal solid waste or dispose of major appliances in or on the land or in a solid waste processing or disposal facility, according to Minnesota Statute 115A.9561, or as amended.

Subsection 2. Recycling or Reuse Required. Major appliances must be recycled or reused. For the purposes of this section, recycling includes: removal of capacitors that may contain PCB's; removal of ballasts that may contain PCB's; the removal of chlorofluorocarbon refrigerant gas; and the recycling or reuse of metals, including mercury, according to Minnesota Statute 115A.9561, or as amended.

Subsection 3. Collector and Processor Requirements. White goods collectors and processors shall meet requirements of Minnesota Laws, Rules and guidelines administered by the Agency and be in conformance with the Yellow Medicine County Solid Waste Management Plan.

Subsection 4. County Specific Storage Requirements. White goods shall be stored in a manner which will not create a nuisance, blight, or hazard to public health, safety or the environment and shall have all latches disabled, doors removed or chained shut, capacitors removed and refrigerant gas evacuated before storage or processing. No more than one (1) white good may be stored at any nonresidential parcel or within the boundaries of any residential lot except at an Agency permitted collection or processing facility.

SECTION 20.0:

SOLID WASTE FROM STREET CLEANINGS, STORM SEWERS, AND DRAINAGE SYSTEMS

Subsection 1. Minnesota Rules and Guidelines. Soils, grits and other inert granular residue resulting from snow removal, street cleaning, drainage basins or systems that remove sediments from storm sewer discharges shall be stored, recycled, re-used and disposed of in accordance with Minnesota Statutes, Rules and Agency guidelines.

SECTION 21.0:

INFECTIOUS WASTE

Subsection 1. Waste Control Act. Infectious waste shall be segregated, packaged, contained, transported, and managed in accordance with the Infectious Waste Control Act, Minnesota Statute Sections 116.76 to 116.82.

SECTIONS 22.0 - 32.0 : LICENSING

SECTION 22.0:

LICENSING

Subsection 1. License Required. Unless otherwise provided by this ordinance, no person shall cause, permit or allow real or personal property under his/her control to be used for solid waste management purposes, except at an operation for which a license has been granted by the County Board. The procedures for license issuance, denial, variance, revocation, suspension, renewal, administration, and fees shall be governed by this ordinance. Potential and current licensees shall be in compliance with all town, city, county, state, and federal regulations and the Yellow Medicine County Solid Waste Management Plan.

A license is required for the following solid waste management purposes:

1. Collection and transportation of solid waste and recyclables;
2. Mixed municipal solid waste land disposal facilities;
3. Demolition debris land disposal facilities;
4. Mixed municipal solid waste composting facilities;
5. RDF resource recovery facilities;
6. Mass burn and RDF incinerators;
7. Recycling facility;
8. Yard waste composting facilities; and
9. Transfer stations.

Subsection 2. Other Waste Facilities. Any other solid waste management site, facility, or activity not otherwise provided for in this ordinance must be licensed by the County Board. Application and license requirements shall be established by resolution of the County Board. License will not be required for:

- A. MPCA - Permit -by-Rule Facilities, however, subject to approval by the County Solid Waste Office and to insure consistency with the County Solid Waste Management Plan and the Zoning Administrator to insure consistency with Zoning Ordinances.

Subsection 3. Application Procedure. The required sequence for a person wishing to obtain a Solid Waste Management Facility license from the County Board is: a) local zoning approval, b) preliminary County approval c) Agency approval, d) final County approval. All Agency technical standards will apply for Yellow Medicine County licensing review and approval except" where requirements in this ordinance are more restrictive.

Subsection 4. Preliminary Application. Any person wishing to submit an application for license of a Solid Waste Management Facility in Yellow Medicine County must first submit the following information as a preliminary application:

- name and address if the project proposer, and site selected for the proposed project;
- geographic area and population to be served by the proposed project;
- a description of the process and expected life of the facility;
- the anticipated type, quantity and source of materials to be handled in the proposed facility;
- a description of the residues or waste discharges from the proposed facility and the environmental safeguards which will be incorporated into the project;
- the anticipated hours of operation of the proposed facility and the resulting traffic;
- a description of the adequacy of existing roadways to support the proposed facility;
- a description of the availability (or lack thereof) of similar facilities in the County or region and how the proposed facility and its operation is in compliance with the County Solid Waste Management Plan; and
- an operating schedule;
- a schedule of fees to be charged at the facility;
- a notarized affidavit, signed by the applicant, stating the municipal or township governing body in which said solid waste management facility is to be located has considered the establishment of the solid waste management facility with respect to zoning, impact on roads, and other applicable regulations;
- a • notarized affidavit, signed by the applicant, stating that the applicable local governments have been given at least thirty (30) days notice of the application for a facility license;
- a certificate from the County Zoning Administrator or relevant City Administrator that the proposed facility land use is in accordance with the established County or City Zoning Ordinance;
- sufficient documentation to enable the County Board to determine whether the applicant is financially and operationally capable to properly process the proposed waste types and amounts in the proposed facility; and
- such additional information as may be required by the Solid Waste Officer.

Subsection 5. Preliminary Recommendation. After receipt of a preliminary application, the Solid Waste Officer shall review the information and give a non-binding recommendation to the County Board concerning whether a final application should be made. Preliminary approval shall be provided in the form of a County Board resolution which states that the applicant has received local Zoning approval and is in compliance with any other applicable local ordinances, and that the proposed facility and its operation is in compliance with the County Solid Waste Management Plan.

If a negative recommendation is made, the applicant shall be notified in writing of the reasons why the County Board denied approval of the preliminary application. Such denial shall be without prejudice to the applicant's right to an appearance before the County Board or to the Applicant's right to file a further preliminary application after revisions are made to satisfy objections specified as reasons for denial.

Subsection 6. Final Application. Once a proposed project has received preliminary approval through the preliminary application process described in Section 27*, Subsection 3, 4, and 5, and has received approval from the Agency, the applicant for licensure of a solid waste management facility must submit three (3) copies of the solid waste management facility permit application documents prepared for the Agency permit or permit-by-rule process to the Solid Waste Officer and such additional information as may be required by the Solid Waste Officer.

Subsection 7. Signatures. A license application must be signed as follows: by the solid waste management activity or facility owner, landowner, and operator; and by the Minnesota registered engineer of the firm that prepares the necessary reports and plans for a solid waste management activity or facility license.

Subsection 8. Certification. A person who signs a license application shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

Subsection 9. Final Application Review Process. Within 30 days of receipt by the Solid Waste Officer of the final license application for a solid waste facility or activity, the Solid Waste Officer shall notify the applicant in writing whether the application is complete and if not, what items are needed to make it complete. Submission of false information may constitute grounds for denying a license or license renewal, or suspension by revocation of an issued license. A completed application, as determined by the Solid Waste Officer, shall be submitted to the County Board with a recommendation for approval or denial. A public hearing may be conducted before the County Board prior to the issuance of a license for a solid waste management activity or facility. Notice of the time, place and activity or facility to be considered shall be sent by certified mail to property owners within one-quarter (1/4) mile of the existing or proposed waste management activity or facility, or to the ten (10) property owners nearest to the waste management activity or facility, whichever would provide the greatest number of property owners. Written notice shall be given to the affected board of township supervisors and the municipal council of any municipality within one (1) mile of the existing or proposed waste management activity or facility. The applicant and all other interested parties shall be afforded the opportunity to be heard at the public hearing. Evidence may be introduced in a manner consistent with the rules of evidence applied in civil cases. Supplemental information and data may be submitted within ten (10) days of adjournment of the public hearing. A transcript of the hearing shall be made by recording or other suitable technique. All books, records, files and correspondence of the county board pertaining to said application shall be made available for public inspection. The County Board shall review the testimony and evidence provided and deliver a determination within thirty (30) days of adjournment of the public hearing.

The County Board shall refuse to issue any license for any purpose which does not comply with local ordinances, state laws and rules, federal regulations, and the County Solid Waste Management Plan as provided for in Minnesota Statutes.

If an applicant is denied a license, the applicant shall be notified in writing of the reasons therefore by the County Board. A denial shall be without prejudice to the applicant's right to file further application after revisions are made in order to satisfy objections specified in the denial.

Subsection 10. Bond. Issuance or renewal of any license pursuant to the provisions of this ordinance may be contingent upon the applicant furnishing to the County a bond in an amount to be set by the County Board. This bond shall name Yellow Medicine County as obligee with sufficient sureties duly licensed and authorized to transact business in the State of Minnesota as sureties. The condition of such bond shall be that, if the licensee fails to comply with any requirements or fails to perform any of the acts required of the facility or ceases to operate a facility, and the County must expend any monies or expend any labor or material to restore the operation or facility to a condition in compliance with this ordinance, the bond holder and the sureties on its bond shall reimburse the County for any and all expenses incurred by the County to remedy failure of the licensee to comply with the terms of this ordinance, and the bond holder and its sureties shall indemnify and save the County harmless from all losses, costs, and charges that may occur to the bond holder or its sureties because of any default of the licensee under the terms of the bond to operate in compliance with the terms of the ordinances of the County.

Subsection 11. Letter of Credit. The County Board may accept in lieu of the bond described in Section 27, Subsection 10, a letter of credit provided that the letter of credit names the County as obligee with sufficient sureties duly licensed and authorized to transact business in the State of Minnesota as sureties, and that all of the conditions of the bond are met as described in Section 27, Subsection 10. An updated letter of credit shall be required upon renewal of any license granted pursuant to the provisions of this ordinance.

Subsection 12. Insurance. Issuance or renewal of a license pursuant to the provisions of this ordinance shall be contingent upon the applicant securing insurance, and furnishing to the County a copy of a certificate therefor, the following types of insurance issued to the licensee and naming the County as insured, by insurers duly licensed within the State of Minnesota and in amounts set by the County Board: general liability including, but not limited to, bodily injury, property damage, motor vehicle, workers compensation, or other insurance required by State or County law. The licensee shall provide 30 days written notice to the Solid Waste Officer should any insurance policy be canceled before the expiration date of said policy.

Subsection 12. Fees. Issuance or renewal of any license pursuant to the provision of this ordinance shall be contingent upon the applicant paying the annual renewal fee for that license in an amount set by County Board resolution, or as listed in Appendix C.

Subsection 14. License Term. Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this ordinance shall be for a period of not more than one (1) year, unless earlier suspended or revoked. The license period for solid waste management activities or facilities shall be from the date of issuance until December 31 for initial licenses and from January 1 - December 31, a period of one (1) year, for license renewals.

Subsection 15. Annual Report. Licensed solid waste management activities or facilities shall submit an annual report, to be submitted no later than March 1 of each year for the previous year that the license was issued, that contains information, data, plans, and reports as required by the Agency.

Subsection 16. Change in Facility Construction or Operation. No change within the parameters of the facility's license and permit shall be made in the construction or operation of a solid waste management activity or facility unless such change is first approved by the Solid Waste Officer and the Agency.

Subsection 17. License Modification. The County Board may modify existing licensing requirements due to information indicating that the original license provisions were based on

inadequate or erroneous information. Such changes in license requirements can only be made after notification in writing to the licensee.

Subsection 18. Renewal Requirement. Renewal of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant submitting information required in the license application that has changed since the previous submittal, such additional information as may be required by the Solid Waste Officer, and information, data, plans, and reports as required by the Agency.

Subsection 19. Inspection. Routine inspection and evaluation of an operation shall be made by the Solid Waste Officer at such frequency as to ensure consistent compliance by the licensee with the provisions of this ordinance. The licensee shall be provided with a written inspection report containing the precise description of any deficiencies, recommendations for the correction thereof and the date when the corrections shall be accomplished. Copies of said report(s) shall be furnished to the Agency. The licensee shall allow to authorized representatives of the County or the Agency access to the facility at any time for the purpose of making such inspection as may be necessary to determine compliance with the requirements of the ordinance, and any other applicable statute, ordinance, or rule.

Subsection 20. Continuation Of Expired License. A person who holds an expired license and who has submitted a timely and complete application for reissuance of the license may continue to conduct the licensed solid waste management activity until the County Board takes final action on the application if the Solid Waste Officer determines that both of the following are true:

- A. The licensee is in compliance with the terms and conditions of the expired license, the Yellow Medicine County Solid Waste Management Ordinance, and the Yellow Medicine County Solid Waste Management Plan; and,
- B. the Solid Waste Officer, through no fault of the licensee, has not taken final action of the application on or before the expiration date of the license.

Subsection 21. Revocation and Suspension. Any license granted by the County Board under the provision of this ordinance may be suspended by the County Board at any time for noncompliance with the provisions of the license, this ordinance or applicable state laws or rules, or upon written notification to the licensee and the County Board by the Solid Waste Officer or by an authorized representative of the Agency that continued operation may endanger the health, welfare or safety of the public or that the continued operation may cause pollution or impairment of the environment. In the event of an emergency health, safety, or welfare danger, the County Board or Solid Waste Officer may suspend the license immediately pending a hearing before the County Board.

The notice of suspension shall be deemed served whenever it is served upon the licensee personally or by certified mail to the licensed premises with the person in charge thereof. A copy of the notice of suspension shall be provided to the County Board. A license may be revoked only after the County Board has held a public hearing at which the licensee and other persons wishing to be heard concerning use of the operation shall have the right to be heard. The date of the hearing for the license revocation shall be set by the County Board and shall not be held earlier than ten (10), or later than thirty (30) calendar days after the notice of said hearing was mailed to the licensee. Evidence may be adduced in a manner consistent with the rules of evidence applied in civil cases. Supplemental information and data may be submitted within ten (10) calendar days of adjournment of the public hearing. A transcript thereof shall be made by tape recording or other suitable technique. If, pursuant to said hearing, the County

Board shall determine that the operation has been conducted in violation of the provisions of the license, this ordinance, the regulations of Yellow Medicine County, the Yellow Medicine County Solid Waste Management Plan, state laws or state rules, or that the operation may endanger the health, welfare or safety of the public or may cause pollution or impairment of the environment, the County Board may revoke the license or continue a suspension in effect until the operator has demonstrated that full compliance with the provisions of the license, this ordinance, the County Solid Waste Management Plan, the regulations of Yellow Medicine County, state laws and state rules has been attained and that such compliance will continue in the future and that the operation will not endanger the health, welfare or safety of the public and will not cause pollution or impairment of the environment.

SECTION 23.0:

COLLECTION AND TRANSPORTATION OF SOLID WASTE AND RECYCLABLES

Subsection 1. Mandatory Collection. Pursuant to Minnesota Statutes 11SA. 941, (a) Except as provided in paragraph (b), each city, and town described in section 368.01, with a population if 1,000 or more, and any other town with a population of 5,000 or more shall ensure that every residential household and business in the city or town has solid waste collection service. To comply with this section, a city or town may organize collection, provide collection or require by ordinance that every household and business has a contract for collection services. An ordinance adopted under this section must provide for enforcement. (b) A city or town described in paragraph (a) may exempt a residential household or business in the city or town from the requirement to have solid waste collection service of the household or business ensures that an environmentally sound alternative is used. (c) To the extent practicable, the costs incurred by a city or town under this section must be incorporated into the collection system or the enforcement mechanisms adopted under this section by the city or town.

Subsection 2. Visible Costs. Any political subdivision that pays for the cost of collection or disposal of solid waste shall, through a billing or other system, make the prorated share of those costs for each solid waste generator visible and obvious to the generator.

Subsection 3. License Required. Any person, firm or corporation that transports solid waste or source separated recyclable materials via the roads and highways of Yellow Medicine County for hire must annually obtain a Solid Waste and Recyclables Collection and Transportation License and provide an opportunity to recycle as provided for in Section 29 of this ordinance.

Subsection 4. Applicability. The provisions of this section shall apply to all persons seeking a license to collect and transport mixed municipal solid waste and source separated recyclables for hire. Persons who haul their own solid waste or source separated recyclables generated at their household or business to a County owned or operated solid waste management facility, or a County licensed facility, are exempt from the licensing requirements of this section. Persons who haul, store, collect, and transport their own waste and source separated recyclable materials shall do so in a nuisance free and pollution free manner consistent with this Section and this ordinance.

Subsection 5 Specific Licensing Requirements. Application for a license shall be made on forms approved by the County Board and shall be submitted with the appropriate fee to the Solid Waste Officer. Failure to submit the information requested on the application form may result in denial of the license by the County Board. An application to the Solid Waste Officer and subsequent annual renewal shall contain the following information, as applicable:

Subsection 6. Equipment and Operation Requirements.

A. Each vehicle or other conveyance used by a hauler for the collection or transportation of solid waste or source separated recyclables shall be easily cleaned, leak-proof, and be covered with metal, canvas, or fish-net type material made for this purpose. Vehicles and containers for solid waste and source separated recyclable collection and transportation shall be constructed, loaded, transported, and unloaded, in a safe, sanitary, nuisance free, and pollution free manner. Vehicles and containers shall be cleaned to prevent nuisance, pollution, insect breeding, and shall be maintained in good repair. Container inspection doors shall be securely closed except when the vehicle or container is being inspected, cleaned, or stored in clean and empty condition. In the event of a leak or spill, the transporter shall notify the Solid Waste Officer and the appropriate law enforcement agency and shall be responsible for the cleaning and restoration of the leak or spill site.

B. The licensee shall be responsible for the cleanup of any solid waste or source separated recyclable material that must be dumped in an emergency. In addition, a licensed hauler shall be responsible cleaning up any litter, solid waste, and recyclables discharged onto roadways while in transit. Should the responsible hauler fail to clean up litter, solid waste and recyclables dumped in an emergency or discharged onto roadways while in transit, the County may charge such hauler the entire cost of the removal and disposal of the dumped material.

C. No smoking, smoldering, or burning solid waste or source separated recyclables shall be collected or transported.

D. Decals may be issued by the Solid Waste Officer for each licensed vehicle or conveyance; these shall be displayed in a conspicuous place on the left side of the vehicle. Facility numbers, when applicable, shall be displayed as directed by the Solid Waste Officer. The licensee must maintain all decals, labeling, and license plates so that they are readily visible and legible at all times. The licensed hauler shall contact the Solid Waste Officer by telephone or in writing if it is necessary to use a vehicle other than one included in its original, renewed, or amended license application.

E. The business name and telephone number of the licensee shall be easily visible and be printed or painted in legible characters on both sides of all vehicles, containers, and conveyances used by the hauler to store, collect, or transport solid waste or source separated recyclable material.

F. The Solid Waste Officer may inspect and approve all solid waste and source separated recyclable material storage, collection, and transportation containers, vehicles, and conveyances if deemed necessary by the Solid Waste Officer to protect public health, safety, or the environment.

G. The licensee shall not allow solid waste to remain or be stored in any collection or transportation vehicle in excess of 48 hours, except in the event of an emergency such as inclement weather, equipment breakdown, or accident. The Solid Waste Officer may approve storage for greater than 48 hours, on a case-by-case basis, for reasons other than emergencies, provided such storage will not adversely affect public health, safety, or the environment.

Subsection 7. Volume or Weight Based Pricing. Licensed collectors and transporters of solid waste shall impose charges for collection service that increase with the volume or weight of the waste collected. The licensee must establish a multiple pricing system that ensures that amounts of waste generated in excess of the base unit amount, which is hereby established as

either thirty gallons or twenty pounds collected once per week, are priced higher than the base amount price. The licensee shall provide a fee schedule demonstrating compliance with this provision to the Solid Waste Officer at the time of license application or renewal.

Subsection 8. Recycling Charges. The licensee shall not impose a greater charge on residents, businesses, or institutions who recycle than on residents who do not recycle.

Subsection 9. Scavenging Prohibited. The scavenging or removal of recoverable or recyclable materials from any facility or container in Yellow Medicine County without the written consent of the owner or operator of the facility or container shall be prohibited.

Subsection 10. Ownership of Recyclables. Ownership of source separated recyclables shall be given to the County at the point in time as follows. 1) when recyclables are delivered to County owned recycling sheds or facilities; and 2) after recyclables are placed out for collection by a licensed commercial hauler and up to the time collected by the licensed commercial hauler.

Subsection 11. Marketing Requirement. A collector or generator of source separated materials may take recyclable materials to a recycling facility of the collector's or generator's choice. Any materials separated for recycling shall be taken to markets for sale or to recyclable material processing centers. Recyclable material collectors shall keep records of delivery to markets or processing centers. Records of delivery shall be required to be submitted to the county at the time of license renewal. Failure to submit such records may be grounds for suspension, revocation, or non-renewal of a license.

Subsection 12. Waste Deposit Disclosure. A person that collects construction debris, industrial waste, or mixed municipal waste for transportation to a waste facility shall disclose to each generator from who the waste is collected the name, location, type of, and the number of the permit issued by the Agency, or its counterpart in another state, if applicable, for the processing or disposal facility or facilities, excluding a transfer station, at which the waste is deposited. The collector shall provide notice of both the generator and the primary facility at which the collector most often deposits wastes and any alternative facilities regularly used by the collector.

Subsection 13. Form of Disclosure. A collector shall make the disclosure to the waste generator in writing at least once per year or on any written contract for collection services in that year. If an additional facility becomes either a primary facility or an alternative facility during the year, the collector shall make the disclosure set forth in Section 28, subsections 12, 13, and 14 within thirty days. Evidence of such disclosure shall be provided to the Solid Waste Officer at the time of application for a license or renewal of a license.

Subsection 14. Transfer Stations. If the collector deposits waste at a transfer station, the collector need not disclose the name and location of the transfer station but must disclose the destination of the waste when it leaves the transfer station.

Subsection 15. Insurance Requirements. Issuance or renewal of a license pursuant to the provisions of this ordinance shall be contingent upon the applicant securing insurance, and furnishing to the County a copy of a certificate therefor, the following types of insurance issued to the licensee and naming the County as insured, by insurers duly licensed within the State of Minnesota and in amounts set by the County Board: general liability including, but not limited to, bodily injury, property damage, motor vehicle, workers compensation, or other insurance required by State or County law. The licensee shall provide 30 days written notice to the Solid Waste Officer should any insurance policy be canceled before the expiration date of said policy.

Subsection 16. license Suspension and Revocation. A license may be suspended or revoked at any time by the County Board according to the procedures in Section 27, Subsection 21 of this ordinance. If the licensee contracts with facilities owned or operated by the County and a commercial hauler fails in any material way to comply with the contract, the license may be suspended or revoked by the County Board according to the procedures in Section 27 Subsection 21.

Subsection 17. License Modification. The County Board may modify existing licensing requirements due to information indicating that the original license provisions were based on inadequate or erroneous information. Such changes in license requirements can only be made after notification in writing to the licensee.

Subsection 18. License Renewal. Unless otherwise provided by the County Board, each license granted pursuant to the provisions of this ordinance shall expire on December 31 of each year, unless sooner suspended or revoked pursuant to Section 2, Subsection 10. Application for license renewal shall be made pursuant this Section **(28)** and all other applicable portions of this ordinance.

Subsection 19. Town or Municipal Service. Nothing in this ordinance shall prevent a municipality or township from establishing solid waste collection services that are in compliance with the County Solid Waste Plan and the regulations of the State and Yellow Medicine County. Pursuant to Minnesota Statute 115A.945 the costs of collection or disposal of solid waste shall, through a billing or other system, make the prorated share of those costs for each solid waste generator visible and obvious to the generator.

SECTION 24.0

OPPORTUNITY TO RECYCLE

Subdivision 1. Purpose. It is the intent of the County Board of Yellow Medicine County by means of Section 24 of this ordinance to establish a standards whereby the maximum amount of recyclables feasible shall be recovered from solid waste generated in Yellow Medicine County to capture the value of recyclables in terms of recovered resources, marketable commodities, and saved landfill space.

Subdivision 2. Opportunity to Recycle. All persons in Yellow Medicine County shall be provided the opportunity to recycle. Yellow Medicine County has established a program that provides either curb side collection or drop off location for the collection of recyclables. Commencing Jan. 1, 1999, licensed commercial haulers must offer recycling collection services for the collection of a minimum of four broad categories of recyclable materials and yard wastes from all residential, multi-family dwellings, commercial, institutional, and industrial customers within Yellow Medicine County at least once per month. Paper and corrugated fiberboard recycling must be offered to customers of commercial, institutional, and industrial establishments. Additional recyclable materials may be added by resolution of the County Board.

Subdivision 3. Recyclables Storage. Recyclables materials shall be place indoors, or in side or rear yards if they are fully screened from neighboring properties and public streets. Recyclable storage shall be in a nuisance free, pollution free and aesthetic manner. The County Board may, by resolution, establish other container standards.

Subdivision 4. Ownership of Recyclables. Ownership of source separated recyclables shall be given to the County at the point in time as follows. 1) when recyclables are delivered to County

owned recycling sheds or facilities; and 2) after recyclables are placed out for collection by a licensed commercial hauler and up to the time collected by the licensed commercial hauler.

Subdivision 5. Scavenging Prohibited. It shall be a violation of this ordinance for any person to scavenge, collect, or otherwise remove recyclable or solid waste materials from recycling sheds, containers, or facilities, or from any container located on any private or public property.

Subdivision 6. Contamination of Recyclables Prohibited. It shall be a violation of this ordinance for any person to dump, place or otherwise dispose of solid waste in any recycling sheds, containers, or facilities, or mix source separated recyclables with solid waste in any other manner.

Subsection 7. Dumping of Solid Waste or Recyclables in Recycling Facilities. It shall be a violation of this ordinance for any person to dump, place, or otherwise deposit solid waste in recycling sheds, containers, or facilities, or mix source separated recyclables with solid waste in any manner.

SECTION 25.0:

MIXED MUNICIPAL SOLID WASTE LANDFILLS

Subsection 1. Applicability. This section shall apply to all persons seeking a license to operate a landfill for the disposal of solid waste. It is unlawful to operate a mixed municipal solid waste landfill without a license from the County Board.

Subsection 2. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section.

Subsection 3. State Rule. Mixed municipal solid waste facilities shall meet all of the requirements of Minnesota Rules, Chapter 7001 and 7035.

Subsection 4. State and County Fees. All Mixed municipal solid waste landfills shall be current on all state and county fees according to Minnesota Statutes 115A.919 and 115A.923 prior to renewal of County license.

SECTION 26.0:

DEMOLITION LANDFILLS

Subsection 1. Applicability. This section shall apply to all persons seeking a permit to operate a landfill for the disposal of demolition waste. It is unlawful to operate a demolition landfill without a license from the County Board.

Subsection 2. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section.

Subsection 3. State Rule. Demolition Waste facilities shall meet all of the requirements of Minnesota Rules, Chapter 7001 and 7035.

Subsection 4. State and County Fees. All demolition landfills shall be current on state and county fees according to Minnesota Statutes 115A.919 and 115A.923 prior to renewal of County license.

SECTION 27.0:

MIXED MUNICIPAL SOLID WASTE COMPOSTING FACILITIES

Subsection 1. Applicability. This section shall apply to all persons seeking a permit and license to operate a MMSW composting facility for processing of solid waste. It is unlawful to operate a mixed municipal solid waste composting facility without a license from the County Board.

Subsection 2. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section. In addition to the requirements of Section 27, materials resulting from MMSW Composting or similar processes and offered for sale shall contain no pathogenic organisms, shall not reheat upon standing, shall be innocuous, and shall contain no sharp particles which would cause injury to persons handling the compost. A license application shall also include the sanitary landfill or other waste facility where rejects, non-processible waste and residue will be transferred, the sanitary landfill or other waste facility owner, hours of operation, MPCA Permit Number, and any other information deemed necessary by the Solid Waste Officer.

Subsection 3. State Rule. Mixed Municipal Solid Waste Composting facilities shall meet all of the requirements of Minnesota Rules, Chapter 7001 and 7035.

Subsection 4. State and County Fees. All mixed municipal solid waste composting facilities shall be current on state and county fees according to Minnesota Statutes 115A.919 and 115A.923 prior to renewal of County license.

SECTION 28.0:

RDF RESOURCE RECOVERY FACILITIES

Subsection 1. Applicability. This section shall apply to all persons seeking a permit and license to operate a RDF resource recovery facility for processing of solid waste without a license from the County Board.

Subsection 2. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section. In addition the requirements of Section 27 of this ordinance, a license application shall include the sanitary landfill or other waste facility where rejects, non-processible waste and residue will be transferred, the sanitary landfill owner, hours of operation, MPCA Permit Number, and any other information deemed necessary by the Solid Waste Officer.

Subsection 3. State Rule. RDF Resource Recovery facilities shall meet all of the requirements of Minnesota Rules, Chapter 7001 and 7035.

Subsection 4. State and County Fees. All RDF Resource Recovery Facilities shall be current on state and county fees according to Minnesota Statutes 115A.919 and 115A.923 prior to renewal of County license.

SECTION 29.0:

MASS BURN AND RDF INCINERATION

Subsection 1. Applicability. It is unlawful to operate a solid waste Mass Burn or RDF incineration facility without a license from the County Board.

Subsection 2. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section. In addition to the requirements of Section 27, all incinerators shall be designed and operated in a manner to conform to emission standards of Federal, State and Local air pollution control regulations. A license application shall include the sanitary landfill or other waste facility where rejects, non-processible waste and residue will be transferred, the sanitary landfill owner, hours of operation, MPCA Permit Number, and any other information deemed necessary by the Solid Waste Officer.

Subsection 3. State Rule. Incinerator facilities shall meet all of the requirements of Minnesota Statutes and Agency Rules, Chapters 7001 and 7035.

Subsection 4. State and County Fees. All Mass Burn and RDF Incineration facilities shall be current on state and county fees according to Minnesota Statutes 115A.919 and 115A.923 prior to renewal of County license.

SECTION 30.0:

RECYCLING CENTERS

Subsection 1. Applicability. It is unlawful to operate a Recycling Center without a license from the County Board.

Subsection 2. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section. In addition to the requirements of Section 27, the licensee shall indicate the Sanitary landfill or other waste facility where any residue will be transferred, the owner, hours of operation and the Minnesota Pollution Control Agency permit number, and proposed marketing plan for materials.

Subsection 3. State Rule. Recycling facilities shall be in compliance with MPCA Solid Waste Management Rules parts 7035.2845 and 7035.2855.

SECTION 31.0

YARD WASTE

Subsection 1. Statutory Prohibition. Except as authorized by the Agency, it shall be a violation of this ordinance for a person to place yard waste in mixed municipal solid waste, in a disposal facility, in the Waters of the State, or in a resource recovery facility except for the purposes of reuse, composting, or co-composting.

Subsection 2. Definition. Yard waste subject to this section includes garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

Subsection 3. On-site Composting. Yard waste composting sites maintained by individual residents or businesses for yard wastes generated at the residence or business occupying the property need not be licensed by the County. However, the compost sites must be maintained in a manner that does not cause a nuisance, public health nuisance, safety, or pollution hazard. The compost pile may not be located less than five feet from a property line and may not be located closer to the primary residential structure on a neighboring property than it is to the primary residential structure on the property upon which the compost pile is located.

Subsection 4. Agency Permit. A person who owns or operates a compost site, other than a backyard compost site, must comply with the Agency design and operating requirements established in Minnesota Rules 7035.2835.

Subsection 5. Yard Waste Landspreading. The landspreading of yard waste or yard waste compost is permitted provided that the land spreading of yard waste is conducted in a manner which does not create a nuisance, public health nuisance, safety, or pollution hazard, and is conducted in compliance with the regulations of federal, state and local government rules and regulations.

Subsection 6. Brush and Tree Management. The management of brush and tree waste is permitted provided that the management is conducted in a manner which does not create a nuisance, public health nuisance, safety, or pollution hazard, and is conducted in compliance with the regulations of federal, state and local government rules and regulations.

SECTION 32.0

TRANSFER STATIONS

Subsection 1. Applicability. It is unlawful to operate a Transfer Station without a license from the County Board.

Subsection 2. Agency Rule. Transfer stations shall be in compliance with Agency requirements as established in Minnesota Rules 7035.2865.

Subsection 3. License Requirements. The license requirements in Section 22 of this ordinance shall apply to this Section. In addition to the requirements of Section 22, a transfer station permittee shall comply with the following regulations:

- A. The operator of the facility shall implement an inventory system and segregation procedure sufficient to enable identification of the sources of all containers in storage at any time.
- B. When stated in the license, the licensee shall take away all solid waste, and wash, clean and disinfect the station at the end of each day of use.
- C. Records shall be maintained indicating the type and quantity of solid waste and recyclables passing through the transfer station and its final disposition. These records shall be made available to the Solid Waste Officer at the request of the Solid Waste Officer. Accurate and detailed records shall be kept at the facility at all times.
- D. Solid wastes shall not remain in the transfer station longer than 72 hours.

SECTIONS 33.0 - 41.0 : ENFORCEMENT

SECTION 33.0:

EXISTING NON-CONFORMING SITES OR FACILITIES

Subsection 1. Non-licensed facilities in existence on the effective date of this ordinance shall be reported to the Solid Waste Officer and conform to the provisions of this ordinance. A record, including a mapped location of any area used for land disposal, shall be filed at the office of the County Recorder and the Solid Waste Officer.

Subsection 2. Non-licensed operations shall be terminated within one year of the effective date of this ordinance except as authorized by the Solid Waste Officer, or brought into compliance with this ordinance.

SECTION 34.0:

VIOLATIONS AND PENALTIES

Subsection 1. Right and Duty to Enforce. The Solid Waste Officer shall have the right and duty to administer and enforce this ordinance.

Subsection 2. Misdemeanor. Except as separately provided for in this ordinance or in State Statutes, any person who fails to comply with the provisions of this Ordinance is guilty of a misdemeanor. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Subsection 3. Civil Action and Injunctive Relief. In the event of a violation or a threat of a violation of this Ordinance, the County may institute appropriate actions or proceedings, including injunctive relief to prevent, restrain, correct or abate such violations or threatened violations. The County may recover costs incurred for corrective action in a civil action in any court of competent jurisdiction or, at the discretion of the County Board, the costs may be certified to the County Auditor as a special tax against the real property.

Subsection 4. State of Minnesota Enforcement Action. The Solid Waste Officer shall have the authority to forward violations to the Minnesota Pollution Control Agency for an Administrative Penalty Order or written citation, and to the Minnesota Department of Natural Resources for a written citation.

SECTION 35.0:

INSPECTION

Subsection 1. Inspection. All property affected by this ordinance shall be subject to inspection by the County, Agency or their designees in accordance with Minnesota Statutes and this ordinance. After presentation of credentials, the County, Agency or their designees may collect samples for evidence or laboratory examination as deemed necessary for the enforcement of this ordinance. No person shall refuse to permit the County, Agency or their designees to inspect any premises or interfere with or resist the County, Agency or their designees in the discharge of their duty to protect the public health, safety, or welfare.

SECTION 36.0:

FEES, RATES, AND SERVICE CHARGES/AREAS

Subsection 1. Setting Fees. Fees for licenses shall be set from time to time by resolution of the Yellow Medicine County Board of Commissioners (see Appendix C).

Subsection 2. Payment of Fees. Fees shall be paid at the time of license application and annually thereafter as a condition of license renewal. Non-payment of fees shall be grounds for denial of a license application or renewal.

Subsection 3. County Fees Waived. Any solid waste facilities, transportation vehicles, or commercial hauler vehicles owned and operated by Yellow Medicine County or its incorporated cities or townships shall fulfill all requirements of this ordinance with the exception of the license fee requirements.

Subsection 4. Local Fee Authority. The County or municipality may impose fees or licenses pursuant to MN Statute 115 A - 918 - 923.

Subsection 5. Service Charge.

A. Purpose and Authority. This subsection is enacted pursuant to Minnesota Statute 400.08 which grants Yellow Medicine County the authority to impose reasonable charges for a service fee to cover the cost of solid waste management. The purpose of this section is to establish a method of collection for such charges.

B. Method of Billing and Collecting Service Charge. The charges will be billed and collected as a fee on the applicable Yellow Medicine County tax statements as determined by the fee schedule.

C. Collection. On or before the date provided for in M.S. Section 400.08, Subdivision 4, in each year, the County Board shall certify to the County Auditor all charges and a description of the parcels against which the charges arose for the following year. It shall be the duty of the County Auditor upon order of the County Board, to extend the charges upon the foils of the County for the taxes of the year in which the fee is filed. For each year the charge shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the State. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

D. Rates and Charges. The County Board, by resolution, may establish or revise the fee schedule for solid waste management services. All fees and charges shall be uniform in their application. A copy of the current fee schedule shall be kept on file in the Office of the County Auditor. If no new fee schedule for solid waste management services is adopted in any year, the fee schedule for the previous year shall remain in effect. To insure the required financial surveillance, the County Coordinator shall annually review the cash flows associated with the Yellow Medicine County Sanitary Landfill, and shall report the findings to the Yellow Medicine County Board of Commissioners each year. Any inequities and/or shortages of revenue caused by unforeseen changes in the cost-revenue pattern of the landfill facility may be remedied by adjusting the unit cost figures. In establishing or revising the fee schedule, the Board may take into account all factors relevant to solid waste management and disposal. Such factors include, but are not limited to the character, kind, and quality of service _and of solid waste, the method of disposition, and all other factors that enter into the costs of service, including but not limited to depreciation and payment of principal and interest on money borrowed by the County for the acquisition or betterment of facilities.

Subsection 6. Service Area. This subsection is enacted pursuant to M.S. 400.08 which grants Yellow Medicine County the authority to establish and determine the boundaries of solid waste management service areas in the County. The boundaries of Yellow Medicine County shall constitute the boundaries of the solid waste management service area.

SECTION 37.0:

MODIFICATION OF REQUIREMENTS

Subsection 1. Waivers or Modifications. The County Board may waive or modify the strict application of the provisions of the ordinance by reducing or waiving certain requirements when such requirements are unnecessary or impractical, or by imposing additional requirements when such requirements are necessary to reduce risk of harm to persons, property, or the environment.

Subsection 2. Agency Approval. No modification or waiver may be granted if it would result in noncompliance with Minnesota Rules applicable to the operation of the facility or activity, unless such modification or waiver has been approved or granted by the Agency.

SECTION 38.0:

PROMOTION OF PUBLIC HEALTH, SAFETY AND WELFARE

Subsection 1. Promotion of Public Health, Safety and Welfare. Where the conditions imposed by any provision of this ordinance are less restrictive than comparable conditions imposed by any other provision of this ordinance, or any other applicable law, ordinance, rule and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety, and welfare shall prevail.

SECTION 39.0:

SEVERABILITY

Subsection 1. Severability. It is hereby declared to be the intention of the County Board that the provisions of this ordinance shall be severable in accordance with the following:

A. Validity of Provisions. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgement shall not affect any other provisions of this ordinance not specifically included in said judgement.

B. Application to Site or Facility. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular structure, site, facility, or operation, such judgement shall not effect the application of said provision to any other structure, site, facility, or operation not specifically included in said judgement.

SECTION 40.0:

EFFECTIVE DATE

Subsection 1. Effective Date. This ordinance shall be effective immediately upon passage by the County Board of Commissioners and publication as required by law and shall apply to the license year commencing ____ , 1999.

Subsection 2. Parties Responsible. This ordinance shall not be construed to hold the Solid Waste Officer or the County of Yellow Medicine or any officer or employee thereof responsible for any damage to persons or property by reason of the inspection or re-inspection authorized herein provided; or by reason of approval or disapproval of equipment or licensing herein; nor for any action in connection with the inspection or control of solid waste or on connection with any other official duties.

SECTION 41.0: