

**THE SOLID WASTE MANAGEMENT ORDINANCE FOR
LE SUEUR COUNTY**

The Solid Waste Management Ordinance for Le Sueur 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 Le Sueur; requiring licenses and permits for storage, collection, transportation, processing, and disposal of solid waste in accordance with the Le Sueur County Solid Waste Management Plan; 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.

The County Board of Le Sueur County, under authority provided in Chapters 115, 115A, 116, 145.22, 375, 400, 561.01, and 609.74 of the Minnesota Statutes, does ordain:

SECTION 1: PURPOSE AND GOALS

The Le Sueur County Board has determined this regulation be adopted to:

- 1.01 Protect the Public's health, prevent public nuisances, and prevent contamination of the groundwater and other environments of Le Sueur County from solid waste through the control of number, location and operation of such facilities.
- 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 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.
- 1.05 Augment, supplement and support existing Le Sueur 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 Le Sueur County Solid Waste Ordinance shall follow Minnesota Statutes, Chapters 115, 115A, 116, 145.22, 375, 400, 561.01, and 609.74.

SECTION 2: DEFINITIONS

The following words and phrases, when used in this ordinance, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.

- 2.01 **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.
- 2.02 **Agency.** The Minnesota Pollution Control Agency (MPCA).
- 2.03 **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.
- 2.04 **Cell.** Compacted solid wastes that are enclosed by cover material in a land disposal site.
- 2.05 **Closure.** The period after solid wastes are no longer accepted during which time the permittee completes the required procedures herein prescribed.
- 2.06 **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 solid waste facility.
- 2.07 **Commercial hauler.** Any person who provides a service for the collection and transportation of any type of solid waste.
- 2.08 **Composting.** The controlled microbial degradation of organic waste to yield a humus like product.
- 2.09 **County.** Le Sueur County, Minnesota.
- 2.10 **County Board.** The Le Sueur County Board of Commissioners.
- 2.11 **Cover Material.** Material that is approved by the 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.
- 2.12 **Decomposition Gases.** Gases produced by chemical or microbial activity during the decomposition of solid waste.
- 2.13 **Demolition Waste.** Is defined as solid waste resulting from the demolition of buildings, roads, and other man made structures including concrete, bricks, bituminous concrete, untreated wood, masonry, glass, rock, and plastic building parts, and other inert waste materials as may be approved by the Department. Demolition debris does not include friable asbestos wastes.
- 2.14 **Demolition Waste Disposal Facility.** Is defined as an area of land used for the disposal of Demolition Waste without creating nuisances or hazards to the environment and public health or safety.

- 2.15 **Densified Refuse Derived Fuels or dRDF.** Prepared refuse derived fuels that are pelletized or formed into blocks.
- 2.16 **Department.** Is defined as Le Sueur County Solid Waste Office.
- 2.17 **Disposal or 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 discharged into any water, including ground waters.
- 2.18 **Existing Facility.** A facility that is in operation or on which construction has commenced on or before the effective date of this ordinance. A facility has commenced construction if the owner or operator has obtained permits and approvals necessary under federal, state, and local statutes, rules and ordinances and the on-site construction program has begun or the owner or operator has entered into contractual agreements that cannot be canceled or modified without substantial loss.
- 2.19 **Facility.** The land, structures, monitoring devices, and other improvements on the land used for monitoring, treating, processing, storing, or disposing of solid waste, leachate, or residuals from solid waste processing.
- 2.20 **Farm.** A parcel of land located in an Agricultural Zoning District as defined by the Le Sueur County Zoning Ordinance.
- 2.21 **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 the MPCA Rules and this ordinance.
- 2.22 **Flood Plain.** Any land that is subject to a one percent or greater chance of flooding in any given year from any source.
- 2.23 **Garbage.** Discarded material resulting from the handling, processing, storage, preparation, serving, and consumption of food.
- 2.24 **Ground Water.** 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 term ground water shall be synonymous with underground water.
- 2.25 **Hazardous Waste/Hazardous Substance.** Hazardous Waste or Hazardous Substance has the meanings given it in Minnesota Statutes, section 115 B.02, subdivision 8.
- 2.26 **High Density Compaction.** Compressing solid waste into blocks or bales using specialized compaction equipment in order to achieve volume reduction.
- 2.27 **Incineration.** The process of burning wastes for the purpose of volume and weight reduction in facilities designed for such use.

- 2.28 **Industrial Waste.** All solid waste generated from an industrial or manufacturing process and solid waste generated from nonmanufacturing 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.
- 2.29 **Land Disposal Site.** Any tract or parcel of land, including any construction facility, at which solid waste is disposed of in or on the land.
- 2.30 **Leachate.** Liquid that has percolated through solid waste and has extracted, dissolved or suspended materials from it.
- 2.31 **Licensee.** Is defined as the Person who has been given authority by the County Board or the Department to carry out any of the activities for which a license is required under the provisions of the ordinance.
- 2.31a **Major Appliances.** Are defined as clothes washers and dryers, dishwashers, hot water heaters, residential furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers.
- 2.32 **Mixed Municipal Solid Waste (MMSW).** 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 waste, tires, lead acid batteries, used oil, and other materials collected, processed, and disposed of as separate waste streams.
- 2.33 **Mixed Municipal Solid Waste Land Disposal Facility.** A site used for the disposal of mixed municipal solid waste in or on the land.
- 2.34 **Monitoring Point.** Any installation or location used to determine the quality or physical characteristics of ground water, surface water, or water in the unsaturated zone.
- 2.35 **Municipality.** A city, village, county, town, sanitary district or other governmental subdivision or public corporation, or agency created by the legislature.
- 2.36 **Nonconforming Solid Waste Disposal Site or Facility.** Is defined as a public or private solid waste disposal site or facility that does not hold a current license by the County and a current permit from the Minnesota Pollution Control Agency.
- 2.37 **Open Burning.** Burning any matter whereby the resultant combustion products are emitted directly to open atmosphere without passing through an adequate stack, duct or chimney.
- 2.38 **Open 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, fires, rodents and scavengers.
- 2.39 **Operator.** The person or persons responsible for the overall operation of a facility.

- 2.40 **Owner.** The person or persons who own a facility or part of a facility.
- 2.41 **Permittee.** Is defined as the Person, Firm, Corporation or organization who has been given authority by the County Board or the Department to carry out any of the activities for which a permit is required under the provisions of this ordinance.
- 2.42 **Person/s.** Is defined as any human being, any municipality or other governmental or political subdivision or other public agency, and 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.
- 2.43 **Pollutant.** Has the meaning given it in Minnesota Statutes, Chapter 115A.
- 2.44 **Post-Closure.** The period after closure during which the long term care, maintenance, and monitoring of a site or facility takes place.
- 2.45 **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.
- 2.46 **Processing Facility.** Processing facility includes composting, co-composting, RDF/dRDF production and other means of volume reduction, separation, resource recovery, physical, chemical or biological modification. A transfer station used for transferring waste from one location to another is not considered a processing facility under this ordinance.
- 2.47 **Putrescible Material.** Is defined as Solid Waste which is capable of becoming rotten and which may reach a foul state of decay or decomposition.
- 2.48 **Recycling Facility.** A site to separate, process, modify, convert, or otherwise prepare solid waste so that component materials or substances may be beneficially used or reused as raw materials.
- 2.49 **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.
- 2.50 **Refuse Collection Service.** A public or private operation engaged in solid waste collection and solid waste transportation.
- 2.51 **Refuse Derived Fuels (RDF).** The product resulting from techniques or processes used to prepare solid waste by shredding, sorting, or compacting for use as an energy source.
- 2.52 **Resource Recovery.** The reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste.
- 2.53 **Rubbish.** Nonputrescible solid waste, including ashes, consisting of both combustible and non-combustible wastes, such as paper, cardboard,

- tin cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind.
- 2.54 **Runoff.** The portion of precipitation that drains from an area as surface flow.
- 2.55 **Scavenging.** Uncontrolled removal of solid waste materials from any location or licensed solid waste disposal facility.
- 2.56 **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.
- 2.57 **Sludge Waste.** Is defined as inorganic waste in a semi-liquid 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 non-toxic materials.
- 2.58 **Solid Waste.** Garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded solid materials and sludges, in solid, semi-solid, 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 and other materials normally handled in construction operations, solids or dissolved material in domestic sewage or other significant pollutants in waste resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flow, or other common water pollutants.
- 2.59 **Solid Waste Collection.** The gathering of solid waste from public or private places.
- 2.60 **Solid Waste Management Plan.** The Le Sueur County Solid Waste Management Plan, dated February, 1988 and amendments thereto.
- 2.61 **Solid Waste Management System.** A total system for the storage, collection, transportation and final disposal of solid waste.
- 2.62 **Solid Waste Storage or Storage.** The holding of solid waste near the point of generation for more than 48 hours in quantities equal to or greater than two (2) cubic yards.
- 2.63 **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.
- 2.64 **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.

- 2.65 **Special Wastes.** Nonhazardous solid wastes requiring management other than that normally used for mixed municipal solid waste.
- 2.66 **State.** The State of Minnesota.
- 2.66a **Telephone directory.** A printed list of residential, governmental, or commercial telephone service subscribers or users, or a combination of subscribers or users, that contains more than 7,500 listings and is distributed to the subscribers or users.
- 2.67 **Tipping Fee.** The fee charged to collectors and citizens for waste delivered to the facility.
- 2.68 **Transfer Station.** A facility in which solid waste from collection vehicles is concentrated for subsequent transport. A transfer station may be fixed or mobile.
- 2.69 **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 transfer from one waste facility to another.
- 2.70 **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.
- 2.71 **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.
- 2.72 **Waste Tire Processing Facility.** Means a licensed Waste Facility used for the shredding, slicing, processing or manufacturing of usable materials from Waste Tires, and may include temporary storage activity. Processing does not include the retreading of Waste Tires.
- 2.73 **Water Monitoring System.** 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.
- 2.74 **Water Table.** The surface of the ground water at which the pressure is atmospheric. Generally, this is the top of the saturated zone.
- 2.75 **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 classifications.
- 2.76 **Working Face.** That portion of the land disposal site where waste is discharged and is spread and compacted prior to the placement of cover materials.
- 2.77 **Yard Waste.** Garden waste, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings generated on residential or commercial properties.

SECTION 3: ADMINISTRATION

3.01 Solid Waste Officer

The Solid Waste Officer of Le Sueur County shall be appointed by the Le Sueur County Board of Commissioners.

3.02 Authority

The Solid Waste Officer has been given authority by the Le Sueur 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 applications and supporting materials which are referred to the Department 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 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 advise, consult, and cooperate with the public and other governmental agencies in furtherance of the purpose of this ordinance.

3.03 Application and Permits

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 permit has been granted by the County Board. For the purpose of this ordinance, solid waste management includes the following specific activities:

1. Operation of MMSW Land Disposal Facilities.
2. Operation of Demolition Waste Disposal Facilities.
3. Operation of MMSW Incinerator Facilities.
4. Operation of MMSW Processing Facilities.
5. Operation of Recycling Facilities.
6. Operation of Transfer Facilities.
7. Operation of Solid Waste Storage.
8. Operation of Waste Tires Facilities.
9. Collection and Transportation of Solid Waste.

Subsection 2. An applicant for a permit to operate a waste facility or activity shall complete and submit to the Department an application on forms provided by the Department. The application shall not be considered complete until the Department receives all applicable fees, all materials required by this section, and all materials required by subsequent sections applying to the specific management activity for which a permit is sought. Following review of the application by the Department, the County Board shall approve or deny an operating permit or request additional information as outlined in this ordinance.

Applicants for a permit shall not commence any construction until a permit has been granted by the County Board, and a permit issued by the Department

A waste facility shall not commence operation until the facility has been constructed in compliance with the engineering plans and has been inspected and approved by the Department.

Subsection 3. A non-transferable permit issued by the Department shall be required for the operation of solid waste facilities and other activities involving solid waste.

Subsection 4. Unless otherwise provided by the Board, each permit granted pursuant to the provisions of this ordinance shall be for a period as stipulated in the appendices of the ordinance, unless earlier suspended or revoked. The permit year for solid waste sites, facilities, operations and activities shall be from May 1 - April 30.

Subsection 5. Depending on the complexity, size and type of solid waste facility or activity, the applicant for a permit or permit renewal may be required to submit complete sets of plans, specifications and/or reports. Minimum requirements for the various solid waste facilities and activities may be found in the following appendices:

1. Appendix A: Mixed Municipal Solid Waste Disposal Facilities.
2. Appendix B: Demolition Waste Disposal Facilities.
3. Appendix C: Incinerator Facilities.
4. Appendix D: MMSW Processing Facilities.
5. Appendix E: Recycling Facilities.
6. Appendix F: Transfer Station Facilities.
7. Appendix G: Solid Waste Storage.
8. Appendix H: Waste Tire Facilities.
9. Appendix I: Collection and Transportation of Solid Waste.

Subsection 6. 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.

- Subsection 7. All submittals to the State during the state permitting and/or licensing process, operation, and the closure/post-closure care time period for solid waste facilities shall also be submitted to the Department.
- Subsection 8. The applicant shall submit additional data requested by the Department. The Department may waive a requirement for submitting certain information 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 Department shall submit the application to the Board at earliest convenient time and the Board shall have 30 days to either grant or deny the permit or permit renewal. Submission of false information may constitute grounds for denying a permit or permit renewal, or suspension by revocation of an issued permit.
- Subsection 10. Unless otherwise provided by the County Board, issuance of any permit pursuant to the provisions of this ordinance 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 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 as provided by the ordinance, the obligor and the sureties on its bond shall reimburse the County for any and all expense 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 default of the obligor 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 or all of said bond, the license 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.
- Subsection 11. The permittee 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 permittee shall provide evidence of worker's compensation coverage in the required statutory amounts.

Subsection 12. Unless otherwise provided by the Board, issuance or renewal of any permit shall be contingent upon the owner of the site or facility or the operator or both providing proof of financial assurance for the closure, post-closure maintenance and monitoring of the site or facility. Use of the financial assurance shall be limited to the site or facility for which it was provided.

Documentation submitted with the application for the Department review 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.

Subsection 13. The County board shall, by resolution, establish fees, including fees for the application, annual permit, 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.

3.04 Operation Reporting

During the life of the permit or license, the licensee and/or permittee shall annually report, on forms provided by the Department, information requested relative to operations. In addition, copies of all correspondence with the State relating to the operation shall be provided to the Department in a timely Manner

3.05 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 365 days after the adoption of the ordinance, or terminate operations no later than that date, unless the Department 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.

3.06 Anti-Scavenging Provision.

Subsection 1. Ownership of the separated recyclable materials set out by a customer for collection by recycling collectors shall be vested in the recycling collector servicing the Person who is recycling. It shall be unlawful and on offense against this Ordinance (except as noted in Subsection 2. below) for any person other than the owner, lessee, or occupant of a residential dwelling or commercial/industrial business, to pick up said separated recyclable materials for any purpose.

Subsection 2. Persons or organizations other than a licensed recyclables collector may not collect recyclables (except at a drop off or redemption site) unless they obtain written permission from the Department. Permission will be granted to any organization to collect recyclables at the curb side

providing the following conditions are met and evidence thereof is provided to the Department.

- a. For single and multi-family residential customers, written permission must be granted by the recyclable collector servicing the accounts to be collected from.
- b. Information regarding the quantities of recyclable materials collected and marketed shall be provided to the Department on or before January 31 of each year.

3.07 County Fee

There is imposed a fee on operators of facilities which accept and dispose of mixed municipal solid waste in Le Sueur County. The fee shall be set by the Board and will be assessed per gate cubic yard. For those facilities that weigh waste, the fee will be assessed using 600 pounds per gate cubic yard.

3.08 Solid Waste Service Charge

Subsection 1. SERVICE CHARGE. This section is enacted pursuant to Minnesota Statute 400.08, which grants Le Sueur 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.

1. Method of Billing and Collecting Service Charge. The charges will be billed and collected as a charge on the applicable Le Sueur County tax statements as determined by the rate schedule.
2. Unpaid Charges. On or before October 15 in each year, the County Board shall certify to the County Auditor all unpaid outstanding 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 assessments with an interest rate provided for in Minnesota Statutes, Section 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 15, 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 of real property taxes according to 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.
3. Rates and Charges. The County Board, by resolution, may establish or revise the rate schedule for solid waste management services. 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 Solid Waste office. If no new rate schedule for solid waste management services is adopted in any year, the

rate schedule for the previous year shall remain in effect.

In establishing or revising the rate schedule, the Board may consider 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; the number of people served at each place of collection; and all other factors that enter into the cost of the providing service, including but not limited to, public education, recycling programs, solid waste management facilities operating, and debt service cost.

4. Appeals. 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 Solid Waste office and shall be filed within 30 days of mailing the service charge statement by the County. The Solid Waste Officer shall, within 30 days of receipt of the appeal, review the appeal and notify the appellant by U.S. mail whether an adjustment is due and how much or whether the appeal is denied.

Subsection 2. Service Area. This section is enacted pursuant to Minnesota Statutes, Section 400.08, which grants Le Sueur County the authority to establish and determine the boundaries of solid waste management service areas in the County.

There shall be separate service areas or zones established within Le Sueur County as determined by the level of solid waste management services provided to each service area or zone. The County Board shall establish, by resolution, the boundaries of each such solid waste management service area and shall set the charges for each such service area after taking into account the character, kind, and quality of service and of the solid waste, the method of disposition, the number of people served at each place of collection, and all other factors that enter into the cost of the service, including but not limited to, depreciation and payment of principle and interest on money borrowed by the County for the acquisition or betterment of facilities.

3.09 Enforcement

All provisions of this ordinance shall be enforced according to this Subsection.

1. Misdemeanor. Any Person within the County who violates this ordinance, or who shall permit such a violation to exist on the premises under his 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 Department, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished thereof, as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

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.
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.

3.10 Appeals

The Board of Commissioners of Le Sueur 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 Department shall send to the appellant by mail, notice of the decision of the Board of Appeals within ten (10) days after the close of the hearing.

3.11 Variances

Upon written application by the applicant, owner or operator, the Board may grant variances from the requirements of the regulation and standards prescribed by this ordinance in order to promote the effective and reasonable application and enforcement of the provisions of this ordinance.

3.12 Illegal Dumping

- Subsection 1. It shall be a violation of this ordinance for any person to dispose of solid waste within Le Sueur County at any place except at a site or facility authorized by this ordinance.
- Subsection 2. 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 Department prior to implementation.
5. Divert surface water drainage around and away from the disposal area.
6. Compact the refuse 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 the illegal dump is located shall place on record an instrument with the Le Sueur County Recorder, in a form prescribed by the Department, placing the public on notice of the existence and location of the illegal 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.

3.13 Waiver

The 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.

3.14 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.

3.15 Repealer

Le Sueur County Solid Waste Ordinance 10-1-72 is repealed.

3.16 Effective Date

This regulation shall be in full force and effect upon adoption and publication pursuant to law.

Dated this 22nd day of March 1988.

LE SUEUR COUNTY BOARD OF COMMISSIONERS

Jerome E. Schleis (sig.)
Chairman

Terry Overn (sig.)
Attest: County Auditor

Amended by the County Board of Commissioners.....April 1991
Amended by the County Board of Commissioners.....November 1992
Amended by the County Board of Commissioners.....August 1993

APPENDIX A: MIXED MUNICIPAL SOLID WASTE DISPOSAL FACILITIES

A.01 Scope. Any mixed municipal solid waste disposal facility shall be constructed, established, maintained and operated in accordance with the following provisions.

A.02 Applicability. This section shall apply to all persons seeking a permit to operate a landfill for the disposal of solid waste.

A.03 Permit Requirements. The applicant shall submit a complete set of plans, specifications and reports prepared by a Registered Professional Engineer under the laws of the State of Minnesota. The applicant shall furnish:

- Subsection 1. Existing Conditions Plan. A current map and aerial photograph of the area showing land use and zoning within one-fourth ($\frac{1}{4}$) mile of the waste site or facility. The map and aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, 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. United States Geological Survey datum shall be included and a north arrow drawn. A locational insert shall be included.
- Subsection 2. Plot Plan. A plot plan, including a legal description of the site and adjacent area, showing dimensions, location of soil borings, present and planned features, including, but not limited to roads, fencing, cover stockpiles, special construction materials and techniques, screening and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch.
- Subsection 3. Site Development Plan. Site development plans shall be submitted as part of the plot plan which indicate the location and sequence of filling in phases of six (6) months duration.
- Subsection 4. Cross Sections Plan. A cross sections plan, including a minimum of two cross sections of each phase, perpendicular to one another, showing existing grade, excavation grade, final grade, high water table profile, profile and identity of soils and profile and identity of bedrock.
- Subsection 5. Final Contour Plan. An ultimate land use plan, 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.
- Subsection 6. Report. A report indicating:
 1. Geographical areas expected to be served by the proposed site, current population of the areas, and projected population figures for the period of the expected life of the facility.

2. The anticipated type, quantity and source of material to be processed or disposed of at the site.
3. The type and amount of equipment to be provided at the site for waste handling.
4. The area of the site in acres.
5. The name and address of the owner of the site or facility, and the name and address of individuals responsible for actual operation and maintenance of the site.
6. The intended operating procedures.
7. An estimate of the number of vehicles using the facility each day and the volume of solid waste deposited daily.
8. A hydrogeologic study setting forth the same information as required in Minnesota Rules, Chapter 7035.
9. The source and characteristics of cover material and methods to be used for protecting it during winter.

Subsection 7. Closure and Post-Closure. An operational and financial plan for closure and post-closure indicating the estimated length of time the site will be used, the closure and post-closure actions to be taken, the costs for closure and long-term care, monitoring and maintenance of the facility for a period of at least twenty (20) years. The plan shall be written to comply with the provisions of this ordinance and applicable statutes, rules, regulations and requirements of the State. The Department shall review the plan annually until the end of the post-closure period. It shall be revised as necessary as costs and needs for closure and post-closure change and as standards set by the County and state. The plan approved for closure and post-closure and any amendments to the plan must be approved by the Department. Existing waste facilities must comply with the requirements of this when applying for license renewal.

A.04 Construction Requirements. The permittee of any solid waste facility shall establish, construct, and/or provide the following at the MMSW landfill site:

- Subsection 1. Comfort. Sanitary Facilities and shelters for site personnel.
- Subsection 2. Electricity. Electrical services for operations and repairs.
- Subsection 3. Fire Protection. The permittee shall arrange for fire protection services and may be required to provide written evidence of such agreement to the Department.

- Subsection 4. First Aid. Emergency first aid equipment to provide adequate treatment of accidents.
- Subsection 5. Water. A potable water supply for facility personnel.
- Subsection 6. Telephone. A telephone in working condition.
- Subsection 7. Access. A fence and gate both at least six (6) feet high that shall be locked when the attendant is not on duty.
- Subsection 8. Ingress-Egress. A road to the unloading area maintained in good condition so that it will be passable at all times.
- Subsection 9. Sign. A sign at the entrance to the facility stating the name of the facility, the schedule of days and hours the facility is open to the public, a statement that dumping or operation at any hours other than what is stated is unlawful, prices for use of the facility, the agency permit number and, if applicable, a statement and symbol indicating that recyclable materials are accepted for recycling. The Department shall approve the sign and its placement prior to licensing.
- Subsection 10. Equipment. Equipment sufficient to conduct applicable operations and sufficient reserve equipment or written agreements to immediately provide for equipment during periods of breakdown.
- Subsection 11. Public Facilities. Suitable facilities for individuals who wish to transport and dispose of their own solid waste.
- Subsection 12. Monitoring. A water monitoring program conducted pursuant to the license conditions established by the Department for the site or facility.
- Subsection 13. Litter Control. Litter control devices, such as portable wind abatement fences, close to disposal operations shall be provided in addition to the perimeter fence.
- Subsection 14. Recycling. If applicable, containers for the purpose of collecting separated recyclable materials, including but not limited to, glass, aluminum, ferrous, corrugated paper, newspaper materials and used crankcase oil. The containers are subject to approval by the Department.

A.05 Operation Requirements. The permittee shall operate solid waste facilities and provide evidence of such operation pursuant to the following procedures:

- Subsection 1. Burning. Open burning of solid waste is prohibited.
- Subsection 2. Scavenging. Unauthorized removal of waste materials is prohibited.
- Subsection 3. Recycling. Recycling shall be allowed only if specifically set forth in the application and license and then only if recycled materials are removed daily from the premises or placed in an approved device or building.

- Subsection 4. Litter. The permittee shall keep the site and areas along public and private access roads free of litter, and permittee shall prevent litter from blowing onto and accumulating on real property adjacent to the facility.
- Subsection 5. Nuisances. The permittee shall prevent or eliminate any public nuisance by the control of vectors, such as rodents and flies, and of odors, dust windblown material and other potential public health nuisances. Should the Department so prescribe, the permittee shall engage a pest control company licensed by the State of Minnesota to inspect the facility and perform any necessary pest eradication. The permittee shall send a copy of each inspection report to the Department within five (5) days of its receipt by the permittee.
- Subsection 6. Alterations and additions. The permittee shall make no alterations or additions affecting the construction of operational requirements of the waste facility without the written consent of the Department.
- Subsection 7. Ingress-Egress. The permittee shall control all incoming and outgoing traffic in such a manner as to provide orderly and safe ingress and egress.
- Subsection 8. Records. The permittee shall maintain in a manner acceptable to the Department, accurate daily records containing information pertinent to the facility operation. The permittee shall allow the Department and its designated agents access to said records for review and inspection at any reasonable time. Daily records shall include the intake of solid waste measured in tons or cubic yards and general areas in which a particular type of solid waste is disposed.
- Subsection 9. Animal Feeding. Prohibit animal feeding within the site.
- Subsection 10. Bedrock and Water Table. Deposit solid waste at least five (5) feet above the highest known water table and at least five (5) feet above bedrock.
- Subsection 11. Property Line. Maintain minimum separating distance of two hundred (200) feet between the disposal operation and adjacent property line.
- Subsection 12. Working Face. Permit unloading of solid waste in as small an area as practicable. The permittee shall confine wind blown materials to this area. At the conclusion of each day of operation, the permittee shall collect wind blown material and return it to the area.
- Subsection 13. Compaction. Compact solid waste by making at least three passes over the waste with suitable compaction equipment.

- Subsection 14. Water Management. Divert surface water drainage around the landfill operating area, and provide management practices to protect surface water and groundwater.
- Subsection 15. Putrescible Materials. Immediately cover and compact putrescible materials which have reached a foul state of decay or decomposition such as spoiled food or animal carcasses.
- Subsection 16. Supervision. A State Certified attendant shall be on duty at the site all times while the facility is open for public use. The attendant shall supervise the unloading of all refuse at the working face of the landfill.
- Subsection 17. Waste - Limited Disposal. The following shall not be acceptable for disposal except as contained in normal household municipal solid waste.
- a. Liquids
 - b. Hazardous waste.
 - c. Other substances that may be determined unacceptable by the Department.
- Subsection 18. Waste - Unacceptable for Disposal. The following shall not be acceptable for disposal at any time, in any quantity:
- a. Special infectious waste.
 - b. Raw sewage sludge.
 - c. Raw animal manure.
 - d. Septic tank pumpings.
 - e. Vehicles, such as automobiles and trucks.
 - f. Tires.
 - g. Major Appliances.
 - h. Lead acid batteries.
 - i. Yard waste after January 1, 1992.
 - j. Oils.
 - k. Telephone directories
- Subsection 19. Areas Prohibited for Disposal. Fill and trench areas are prohibited within the following regions:
- a. Shoreland.
 - b. Flood plain.
 - c. Wetlands.
- Subsection 20. Gas migration. The permittee shall not allow decomposition gases to migrate laterally from the facility. The permittee shall vent gases directly into the atmosphere through the cover material or into cut-off trenches, or into the atmosphere by forced ventilation or by other means approved by the Department so that explosive concentrations are prevented.
- Subsection 21. Intermittent, intermediate, and final cover system. The owner or operator of a mixed municipal solid waste land disposal facility must design and maintain a cover system capable of minimizing infiltration of precipitation into the fill areas, preventing surface water ponding on fill areas, controlling gas movement, preventing erosion of surface and

side slopes, reducing wind erosion and wind blown litter, minimizing the creation and movement of dust, retaining slope stability, reducing effects of freeze-thaw and other weather conditions, maintaining vegetative growth while minimizing root penetration of the low permeability cover layer, and discouraging vector and burrowing animal intrusion into the site. A complete cover system must consist of intermittent, intermediate, and final covers as outlined in items a to c.

- a. The owner or operator must place an intermittent cover upon all exposed solid waste in accordance with the approved operation and maintenance manual for the site. The owner or operator shall submit to the Department for approval a proposed cover system that addresses the frequency and depth of placement and the material to be used as cover. The frequency of placement may be no less than once per day. The cover depth must be sufficient to cover the waste completely and must be at least six inches of soil or similar material is used.
- b. The owner or operator must place intermediate cover on all filled surfaces of the facility where no additional solid waste will be deposited within 30 days. The intermediate cover must consist of compacted material of sufficient depth, at least 12 inches if soil or similar material is used, to cover the waste completely, and graded to prevent surface water ponding.
- c. The owner or operator of a new mixed municipal solid waste land disposal facility or an existing facility must place final cover in compliance with Minnesota Rules Chapter 7035.2815, Subp. 6, D & E.

APPENDIX B: DEMOLITION AND/OR CONSTRUCTION WASTE DISPOSAL FACILITIES

B.01 Scope. Any demolition waste disposal facility shall be constructed, established, maintained and operated in accordance with the following provisions.

B.02 Applicability. This section shall apply to all persons seeking a permit to operate a landfill for the disposal of demolition waste.

B.03 Permit Requirements. The applicant shall submit a complete set of plans, specifications and reports prepared by a Registered Professional Engineer under the laws of the State of Minnesota. The applicant shall furnish:

- Subsection 1. Existing Conditions Plan. A current map and aerial photograph of the area showing land use and zoning within one-fourth ($\frac{1}{4}$) mile of the waste site or facility. The map and aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, 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. United States Geological Survey datum shall be included and a north arrow drawn. A locational insert shall be included.
- Subsection 2. Plot Plan. A plot plan, including a legal description of the site and adjacent area, showing dimensions, location of soil borings, present and planned features, including, but not limited to roads, fencing, cover stockpiles, special construction materials and techniques, screening and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch.
- Subsection 3. Site Development Plan. Site development plans shall be submitted as part of the plot plan which indicate the location and sequence of filling in phases of six (6) months duration.
- Subsection 4. Cross Sections Plan. A cross sections plan, including a minimum of two cross sections of each phase, perpendicular to one another, showing existing grade, excavation grade, final grade, high water table profile, profile and identity of soils and profile and identity of bedrock.
- Subsection 5. Final Contour Plan. An ultimate land use plan, 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.
- Subsection 6. Report. A report indicating:
 1. Geographical areas expected to be served by the proposed site, current population of the areas, and projected population figures for the period of the expected life of the facility.

2. The anticipated type, quantity and source of material to be processed or disposed of at the site.
3. The type and amount of equipment to be provided at the site for waste handling.
4. The area of the site in acres.
5. The name and address of the owner of the site or facility, and the name and address of individuals responsible for actual operation and maintenance of the site.
6. The intended operating procedures.
7. An estimate of the number of vehicles using the facility each day and the volume of solid waste deposited daily.
8. A hydrogeologic study setting forth the same information as required in Solid Waste Rule 7035.
9. The source and characteristics of cover material and methods to be used for protecting it during winter.
10. A description of the processing methods to be used prior to final disposal of the solid waste,

Subsection 7. Closure and Post-Closure. An operational and financial plan for closure and post-closure indicating the estimated length of time the site will be used, the closure and post-closure actions to be taken, the costs for closure and long-term care, monitoring and maintenance of the facility for a period of at least twenty (20) years. The plan shall be written to comply with the provisions of this ordinance and applicable statutes, rules, regulations and requirements of the State. The Department shall review the plan annually until the end of the post-closure period. It shall be revised as necessary as costs and needs for closure and post-closure change and as standards set by the County and state. The plan approved for closure and post-closure and any amendments to the plan must be approved by the Department. Existing waste facilities must comply with the requirements of this when applying for permit renewal.

B.04 Construction Requirements. The permittee of any demolition waste facility shall establish and/or provide evidence of the following:

- Subsection 1. Comfort. Sanitary Facilities and shelters for site personnel.
- Subsection 2. Electricity. Electrical services for operations and repairs.
- Subsection 3. Fire Protection. The permittee shall arrange for fire protection services and may be required to provide written evidence of such agreement to the Department.

- Subsection 4. First Aid. Emergency first aid equipment to provide adequate treatment of accidents.
- Subsection 5. Water. A potable water supply for facility personnel.
- Subsection 6. Telephone. A telephone in working condition.
- Subsection 7. Access. A fence and gate both at least six (6) feet high that shall be locked when the attendant is not on duty.
- Subsection 8. Ingress-Egress. A road to the unloading area maintained in good condition so that it will be passable at all times.
- Subsection 9. Sign. A sign at the entrance to the facility stating the name of the facility, the schedule of days and hours the facility is open to the public, a statement that dumping or operation at any hours other than what is stated is unlawful, prices for use of the facility, the agency permit number and, if applicable, a statement and symbol indicating that recyclable materials are accepted for recycling. The Department shall approve the sign and its placement prior to licensing.
- Subsection 10. Equipment. Equipment sufficient to conduct applicable operations and sufficient reserve equipment or written agreements to immediately provide for equipment during periods of breakdown.
- Subsection 11. Public Facilities. Suitable facilities for individuals who wish to transport and dispose of their own solid waste.
- Subsection 12. Monitoring. A water monitoring program conducted pursuant to the license conditions established by the Department for the site or facility.
- Subsection 13. Litter Control. Litter control devices, such as portable wind abatement fences, close to disposal operations shall be provided in addition to the perimeter fence.
- Subsection 14. Recycling. If applicable, containers for the purpose of collecting of separated recyclable materials, including but not limited to, glass, aluminum, ferrous, corrugated paper, newspaper materials and used crankcase oil. The containers are subject to approval by the Department.

B.05 Operation Requirements. The permittee shall operate demolition waste facilities and provide evidence of such operation pursuant to the following procedures:

- Subsection 1. Burning. Open burning of demolition waste is prohibited.
- Subsection 2. Scavenging. Unauthorized removal of waste materials is prohibited.
- Subsection 3. Recycling. Recycling shall be allowed only if specifically set forth in the application and license and then only if recycled materials are removed daily from the premises or placed in an approved device or building.

- Subsection 4. Litter. The permittee shall keep the site and areas along public and private access roads free of litter, and permittee shall prevent litter from blowing onto and accumulating on real property adjacent to the facility.
- Subsection 5. Nuisances. The permittee shall prevent or eliminate any public nuisance by the control of vectors, such as rodents and flies, and of odors, dust, windblown material and other potential public health nuisances. Should the Department so prescribe, the permittee shall engage a pest control company licensed by the State of Minnesota to inspect the facility and perform any necessary pest eradication. The permittee shall send a copy of each inspection report to the Department within five (5) days of its receipt by the permittee.
- Subsection 6. Alterations and additions. The permittee shall make no alterations or additions affecting the construction of operational requirements of the waste facility without the written consent of the Department.
- Subsection 7. Supervision. A state certified attendant shall be on duty at the waste facility at all time while it is open for public use and shall continuously supervise the unloading of refuse at the unloading area.
- Subsection 8. Ingress-Egress. The permittee shall control all incoming and outgoing traffic in such a manner as to provide orderly and safe ingress and egress.
- Subsection 9. Records. The permittee shall maintain in a manner acceptable to the Department, accurate daily records containing information pertinent to the facility operation. The permittee shall allow the Department and its designated agents access to said records for review and inspection at any reasonable time. Daily records shall include the intake of solid waste measured in tons or cubic yards and general areas in which a particular type of solid waste is disposed.
- Subsection 10. Animal Feeding. Prohibit animal feeding within the site.
- Subsection 11. Bedrock and Water Table. Deposit solid waste at least five (5) feet above the highest known water table and at least five (5) feet above bedrock.
- Subsection 12. Property Line. Maintain minimum separating distance of two hundred (200) feet between the disposal operation and adjacent property line.
- Subsection 13. Working Face. Permit unloading of demolition waste in as small an area as practicable. The permittee shall confine wind blown materials to this area. At the conclusion of each day of operation, the permittee shall collect wind blown material and return it to the area.
- Subsection 14. Water Management. Divert surface water drainage around the landfill operating area, and provide management practices to protect surface water and groundwater. The permittee shall

use leachate collection and treatment systems where required and approved by the Department.

Subsection 15. Accepted Wastes. The Permittee shall accept only demolition and/or construction waste unless approved by the Department and the MPCA.

Subsection 16. Areas Prohibited for Disposal. Fill and trench areas are prohibited within the following regions:

- a. Shoreland.
- b. Flood plain.
- c. Wetlands.

Subsection 17. Gas migration. The permittee shall not allow decomposition gases to migrate laterally from the facility. The permittee shall vent gases directly into the atmosphere through the cover material or into cut-off trenches, or into the atmosphere by forced ventilation or by other means approved by the Department so that explosive concentrations are prevented.

Subsection 18. Final Cover. Within one month after an area of the facility has reached final elevation, or after operations in an area have ceased, or after any continuous, unbroken area of approximately two (2) acres of a continuing operation is brought to final elevation, the area shall receive final cover application of at least two (2) feet of cover material and one-half foot of topsoil. Each six-inch lift of the final cover shall be separately compacted, graded until smooth and shaped to allow surface water runoff. No holes or depressions which might result in collection of surface water shall remain or exist after such covering.

Subsection 19. Vegetation. The permittee shall cover the final cover of the filled area with adequate top soil and be seeded with suitable vegetation immediately upon completing of final cover application, or immediately in the spring on areas finished during winter conditions. The permittee shall cover seeded slopes with mats, straw or mulching material to prevent erosion, and shall use appropriate seeding, turf development and turf maintenance practices in order to establish adequate turf.

Subsection 20. Compaction and Cover. The permittee shall compact the wastes as densely as practicable, shall cover wastes with a minimum of six (6) inches of compacted, suitable cover material on at least a weekly basis or as specified by the Department and shall maintain all filled areas with at least six (6) inches of cover material.

APPENDIX C: INCINERATOR FACILITIES

C.01 Scope. In addition to parts C.02-5, all Incinerator facilities shall meet all of the requirements of Minnesota Rules, Chapter 7005 and 7035.

C.02 Applicability. This section shall apply to all persons seeking a permit to operate a Waste Facility for the processing of Solid Waste after collection and prior to ultimate disposal. This section applies only to existing and new incinerators having a capacity greater than 6,000 pounds per hour of mixed municipal solid waste and those for incineration of non-toxic or non-Hazardous Wastes. All incinerators shall be designed and operated in a manner to conform to emission limitations of state and local air pollution control regulations.

C.03 Permit Requirements. The applicant shall submit a complete set of plans, specifications and reports prepared by a Registered Professional Engineer under the laws of the State of Minnesota. The applicant shall furnish:

- Subsection 1. Existing Conditions Plan. A current map and aerial photograph of the area showing land use and zoning within one-fourth ($\frac{1}{4}$) mile of the waste site or facility. The map and aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, 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. United States Geological Survey datum shall be included and a north arrow drawn. A locational insert shall be included.
- Subsection 2. Plot Plan. A plot plan, including a legal description of the site and adjacent area, showing dimensions, location of soil borings, present and planned features, including, but not limited to roads, fencing, cover stockpiles, special construction materials and techniques, screening and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch.
- Subsection 3. Plans and Specifications. A set of plans and specifications 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 building within 500 feet of the proposed installation.
- Subsection 4. Final Contour Plan. An ultimate land use plan, 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.

Subsection 5. Report. A report indicating:

1. Geographical areas expected to be served by the proposed site, current population of the areas, and projected population figures for the period of the expected life of the facility.
2. The anticipated type, quantity and source of material to be processed or disposed of at the site.
3. The type and amount of equipment to be provided at the site for waste handling.
4. The area of the site in acres.
5. The name and address of the owner of the site or facility, and the name and address of individuals responsible for actual operation and maintenance of the site.
6. The intended operating procedures.
7. An estimate of the number of vehicles using the facility each day and the volume of solid waste deposited daily.
8. 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 solid waste to be incinerated.
9. The intended disposal area for any incinerator residue.

Subsection 6. Contingency Plans. Plans for the emergency disposal of solid waste in the event of major incinerator plant breakdown.

Subsection 7. Additional Data. Such additional clarifying data as may be requested by the Department.

C.04 Construction Requirements. The permittee of any solid waste incinerator facility shall establish and/or provide evidence of the following:

Subsection 1. Comfort. Sanitary Facilities and shelters for site personnel.

Subsection 2. Electricity. Electrical services for operations and repairs.

Subsection 3. Fire Protection. The permittee shall arrange for fire protection services and may be required to provide written evidence of such agreement to the Department.

- Subsection 4. First Aid. Emergency first aid equipment to provide adequate treatment of accidents.
- Subsection 5. Water. A potable water supply for facility personnel.
- Subsection 6. Telephone. A telephone in working condition.
- Subsection 7. Access. A fence and gate both at least six (6) feet high that shall be locked when the attendant is not on duty.
- Subsection 8. Ingress-Egress. A road to the unloading area maintained in good condition so that it will be passable at all times.
- Subsection 9. Sign. A sign at the entrance to the facility stating the name of the facility, the schedule of days and hours the facility is open to the public, a statement that dumping or operation at any hours other than what is stated is unlawful, prices for use of the facility, the agency permit number and, if applicable, a statement and symbol indicating that recyclable materials are accepted for recycling. The Department shall approve the sign and its placement prior to licensing.
- Subsection 10. Equipment. Equipment sufficient to conduct applicable operations and sufficient reserve equipment or written agreements to immediately provide for equipment during periods of breakdown.
- Subsection 11. Minimal Interference with Other Activities. The incinerator plant shall be so situated, equipped and maintained as to minimize interference with other activities in the area.
- Subsection 12. Unloading. Adequate holding bin capacity shall be provided for all incoming solid waste to be incinerated.
- Subsection 13. Dust Control. Facilities shall be designed to provide for dust control in the unloading and charging areas.
- Subsection 14. Weighing Facilities. The incinerator plant shall have weighing facilities available.
- Subsection 15. Emergency Communication. Adequate communication facilities shall be provided for emergency purposes.
- Subsection 16. Cleaning Equipment. 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.
- Subsection 17. Safety Equipment. The charging openings as well as all equipment throughout the plant shall be provided with safety equipment.

- Subsection 18. Combustion Temperature. During normal operation, the temperature in the combustion chambers shall conform to Chapter 7005 and other Air Pollution control Regulations of the Minnesota Pollution Control Agency, to produce a satisfactory residue and to result in an odor-free operation.
- Subsection 19. Temperature Monitoring and Records. A continuously recording pyrometer shall be provided in order to maintain continuous records of temperature in the combustion chambers.
- Subsection 20. Inspection. Upon completion of the plant and prior to initial operation, the Department shall be notified to allow personnel of the Department to inspect the plant both prior to and during the performance tests.
- Subsection 21. Performance Testing. Performance tests of the plant shall be required and supplied to the Department before full operation commences. A report covering the results of the performance tests in such cases shall be prepared by the design engineer of the project and submitted to the Department with a copy of all supporting data.

C.05 Operation Requirements. The permittee shall operate solid waste incinerator facilities pursuant to the following procedures:

- Subsection 1. Burning. Open burning of solid waste is prohibited.
- Subsection 2. Scavenging. Unauthorized removal of waste materials is prohibited.
- Subsection 3. Recycling. Recycling shall be allowed only if specifically set forth in the application and license and then only if recycled materials are removed daily from the premises or placed in an approved device or building.
- Subsection 4. Litter. The permittee shall keep the site and areas along public and private access roads free of litter, and permittee shall prevent litter from blowing onto and accumulating on real property adjacent to the facility.
- Subsection 5. Nuisances. The permittee shall prevent or eliminate any public nuisance by the control of vectors, such as rodents and flies, and of odors, dust, windblown material and other potential public health nuisances. Should the Department so prescribe, the permittee shall engage a pest control company licensed by the State of Minnesota to inspect the facility and perform any necessary pest eradication. The permittee shall send a copy of each inspection report to the Department within five (5) days of its receipt by the permittee.
- Subsection 6. Alterations and additions. The permittee shall make no alterations or additions affecting the construction or operational requirements of the waste facility without the written consent of the Department.

- Subsection 7. Supervision. A state certified attendant shall be on duty at the waste facility at all times while it is open for public use and shall continuously supervise the unloading of refuse at the unloading area.
- Subsection 8. Ingress-Egress. The permittee shall control all incoming and outgoing traffic in such a manner as to provide orderly and safe ingress and egress.
- Subsection 9. Records. The permittee shall maintain in a manner acceptable to the Department, accurate daily records containing information pertinent to the facility operation. The permittee shall allow the Department and its designated agents access to said records for review and inspection at any reasonable time.
- Subsection 10. Minimal Interference with Other Activities. The incinerator plant shall be so operated as to minimize interference with other activities in the area.
- Subsection 11. Information Display. 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.
- Subsection 12. Unloading. All incoming solid waste to be incinerated at the plant shall be confined to the unloading area.
- Subsection 13. Weighing Facilities. Permanent records shall be maintained indicating the type and total weight or volume of material incinerated, the total quantity of resulting residues and total hours of plant operation. These records shall be available for inspection upon request by the Department.
- Subsection 14. Fire Protection. Arrangements shall be made with the local fire protection agency to provide fire fighting forces in an emergency.
- Subsection 15. Emergency Communication. Adequate communication facilities shall be provided for emergency purposes.
- Subsection 16. Cleaning Equipment. 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.
- Subsection 17. Safety Equipment. The charging openings as well as all equipment throughout the plant shall be provided with safety equipment.
- Subsection 18. Combustion Temperature. During normal operation, the temperature in the combustion chambers shall conform to Chapter 7005 and other Air Pollution Control Regulations of the Minnesota Pollution Control Agency, to produce a satisfactory residue and to result in an odor-free operation.

- Subsection 19. Temperature Monitoring and Records. 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 from the Department upon request.
- Subsection 20. Residue (Ash) Disposal. All residue removed from the incinerator plant shall be promptly disposed of in a manner that will prevent nuisances, pollution, public health hazards, and be in compliance with all state regulatory requirements. Residue must be disposed of in a permitted and licensed facility. Residue containing combustible material shall be disposed of in a sanitary landfill.

APPENDIX D: MMSW PROCESSING FACILITIES

D.01 Scope. Any composting, co-composting, or refuse derived fuel facility shall be constructed, established, maintained and operated in accordance with the following provisions.

D.02 Applicability. This section shall apply to all persons seeking a permit to operate a Waste Facility for the processing of Solid Waste after collection and prior to ultimate disposal. This section applies only to existing and new composting and co-composting facilities.

D.03 Permit Requirements. The applicant shall submit a complete set of plans, specifications and reports prepared by a Registered Professional Engineer under the laws of the State of Minnesota. The applicant shall furnish:

- Subsection 1. Existing Conditions Plan. A current map and aerial photograph of the area showing land use and zoning within one-fourth ($\frac{1}{4}$) mile of the waste site or facility. The map and aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, 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. United States Geological Survey datum shall be included and a north arrow drawn. A locational insert shall be included.
- Subsection 2. Plot Plan. A plot plan, including a legal description of the site and adjacent area, showing dimensions, location of soil borings, present and planned features, including, but not limited to roads, fencing, cover stockpiles, special construction materials and techniques, screening and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch.
- Subsection 3. Plans and Specifications. A set of plans and specifications 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 building within 500 feet of the proposed installation.
- Subsection 4. Final Contour Plan. An ultimate land use plan, 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.
- Subsection 5. Report. A report indicating:
 1. Geographical areas expected to be served by the proposed site, current population of the areas, and projected population figures for the period of the expected life of the facility.
 2. The anticipated type, quantity and source of material to be processed or disposed of at the site.

3. The type and amount of equipment to be provided at the site for waste handling.
4. The area of the site in acres.
5. The name and address of the owner of the site or facility, and the name and address of individuals responsible for actual operation and maintenance of the site.
6. The intended operating procedures.
7. An estimate of the number of vehicles using the facility each day and the volume of solid waste deposited daily.
8. Composting facility design criteria, the present and future population and area to be served by the facility, and the characteristics, quantities and sources of solid waste to be processed.

Subsection 6. Contingency Plans. Plans for the emergency disposal of solid waste in the event of the composting facilities closure or breakdown.

Subsection 7. Additional Data. Such additional clarifying data as may be requested by the Department.

D.04 Construction Requirements. The permittee of any solid waste composting or co-composting facility shall establish and/or provide evidence of the following:

Subsection 1. Comfort. Sanitary Facilities and shelters for site personnel.

Subsection 2. Electricity. Electrical services for operations and repairs.

Subsection 3. Fire Protection. The permittee shall arrange for fire protection services and may be required to provide written evidence of such agreement to the Department.

Subsection 4. First Aid. Emergency first aid equipment to provide adequate treatment of accidents.

Subsection 5. Water. A potable water supply for facility personnel.

Subsection 6. Telephone. A telephone in working condition.

Subsection 7. Access. A fence and gate both at least six (6) feet high that shall be locked when the attendant is not on duty.

Subsection 8. Ingress-Egress. A road to the unloading area maintained in good condition so that it will be passable at all times.

Subsection 9. Sign. A sign at the entrance to the facility stating the name of the facility, the schedule of days and hours the facility is open to the public, a statement that dumping or operation at any hours other than what is stated is

unlawful, prices for use of the facility, the agency permit number and, if applicable, a statement and symbol indicating that recyclable materials are accepted for recycling. The Department shall approve the sign and its placement prior to permitting.

- Subsection 10. Equipment. Equipment sufficient to conduct applicable operations and sufficient reserve equipment or written agreements to immediately provide for equipment during periods of breakdown.
- Subsection 11. Minimal Interference with Other Activities. The Composting facility shall be so situated, equipped and maintained as to minimize interference with other activities in the area.
- Subsection 12. Shelter and Sanitation. Shelter and sanitary facilities shall be available in the area.
- Subsection 13. Unloading. Adequate holding bin capacity shall be provided for all incoming solid waste.
- Subsection 14. Dust Control. Facilities shall be designed to provide for dust control in the loading and unloading areas, and throughout the facilities.
- Subsection 15. Weighing Facilities. The Composting facility shall have weighing facilities available.
- Subsection 16. Emergency Communication. Adequate communication facilities shall be provided for emergency purposes.
- Subsection 17. Cleaning Equipment. 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.
- Subsection 18. Safety Equipment. The loading and unloading areas as well as all equipment throughout the facilities shall be provided with safety equipment.
- Subsection 19. Road Construction and General Landscaping. 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.
- Subsection 20. Inspection. Upon completion of the facilities and prior to initial operation, the Department shall be notified to allow personnel of the Department to inspect the facilities.

D.05 Operation Requirements. The permittee shall operate solid waste incinerator facilities pursuant to the following procedures:

- Subsection 1. Burning. Open burning of solid waste is prohibited.
- Subsection 2. Scavenging. Unauthorized removal of waste materials is prohibited.

- Subsection 3. Recycling. Recycling shall be allowed only if specifically set forth in the application and license and then only if recycled materials are removed daily from the premises or placed in an approved device or building.
- Subsection 4. Litter. The permittee shall keep the site and areas along public and private access roads free of litter, and permittee shall prevent litter from blowing onto and accumulating on real property adjacent to the facility.
- Subsection 5. Nuisances. The permittee shall prevent or eliminate any public nuisance by the control of vectors, such as rodents and flies, and of odors, dust windblown material and other potential public health nuisances. Should the Department so prescribe, the permittee shall engage a pest control company licensed by the State of Minnesota to inspect the facility and perform any necessary pest eradication. The permittee shall send a copy of each inspection report to the Department within five (5) days of its receipt by the permittee.
- Subsection 6. Alterations and additions. The permittee shall make no alterations or additions affecting the construction of operational requirements of the waste facility without the written consent of the Department.
- Subsection 7. Supervision. A state certified attendant shall be on duty at the waste facility at all time while it is open for public use and shall continuously supervise the unloading of refuse at the unloading area.
- Subsection 8. Ingress-Egress. The permittee shall control all incoming and outgoing traffic in such a manner as to provide orderly and safe ingress and egress.
- Subsection 9. Records. The permittee shall maintain in a manner acceptable to the Department, accurate daily records containing information pertinent to the facility operation. The permittee shall allow the Department and its designated agents access to said records for review and inspection at any reasonable time. As a minimum, the permittee shall maintain records indicating the type and quantity of solid waste passing through the facilities.
- Subsection 10. Minimal Interference with Other Activities. The Composting Facilities shall be so operated as to minimize interference with other activities in the area.
- Subsection 11. Information Display. 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.
- Subsection 12. Unloading. All incoming solid waste and solid waste being processed at the facilities shall be handled in such a manner as to eliminate odor and litter outside the facilities.

- Subsection 13. Weighing Facilities. Permanent records shall be maintained indicating the type and total weight or volume of material processed, the total hours of plant operation. These records shall be available for inspection upon request by the Departments.
- Subsection 14. Fire Protection. Arrangements shall be made with the local fire protection agency to provide fire fighting forces in an emergency.
- Subsection 15. Emergency Communication. Adequate communication facilities shall be provided for emergency purposes.
- Subsection 16. Cleaning equipment. Equipment shall be provided in the loading/unloading 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.
- Subsection 17. Waste Removal and Clean-Up. When stated in and as a part of the permit, the permittee shall take away all Solid Waste, wash, clean and disinfect the station at the end of each day or use.
- Subsection 18. Safety Equipment. The loading and unloading areas as well as all equipment throughout the plant shall be provided with safety equipment.

APPENDIX E: RECYCLING FACILITIES

E.01 Scope. The owner or operator of a facility designed to recycle material separated from the solid waste stream must obtain a permit from the County and comply with parts E.03 to E.06. A dropoff recycling facility operated by schools, volunteers, and charitable groups accepting source separated wastes in quantities less than ten cubic yards per day must comply with parts E.02, E.03 and E.04, C, and do not need to obtain a permit.

E.02 Notification. A letter of notification shall be submitted by the responsible person from a school, volunteer, or charitable group that operates a dropoff recycling facility to the solid waste officer within 30 days after the effective date of this part, indicating the existence of the recycling facility and describing the materials intended to be handled at the facility. The responsible person from a school, volunteer, or charitable group establishing a new recycling facility shall submit a letter of notification to the solid waste officer prior to beginning facility operations.

E.03 Design requirements. The owner or operator of a recycling facility must design and construct the facility in a manner that prevents surface water drainage through recyclable or unusable material, contains any spills or releases that could harm human health or cause environmental risks, and provides storage of recyclable materials and residuals. Storage of waste on-site must comply with Appendix G. In addition to the above basic requirements, the applicant will provide the County with the following information:

A. Site Information

1. An existing conditions map showing adjacent areas and their use (1/2 block for city property and 1/4 mile for rural property)
2. A site plan of the property showing the location of all buildings, vehicle storage areas, drainage patterns, etc., on the site.
3. All services offered in conjunction with the recycling facility.

B. Operational information

1. Materials accepted for recycling
2. Hours of operation
3. Site access and control.
4. Litter prevention.
5. The manner in which volume records are kept and will be reported to the County.
6. Any contracts/agreements with a second party to market the recyclables.

E.04. Operation. The owner or operator of a recycling facility must comply with the operation requirements of items A to C.

- A. The facility must be operated in a manner that minimizes dust and other windblown material, vermin populations due to improper storage, and other nuisance conditions.
- B. All residual waste must be removed at least once a week.
- C. By April 1 of each year, an annual report shall be submitted to the solid waste officer indicating the type and volume of materials handled at the facility; and the final markets and locations for the materials. Interim reports will be provided at the request of the County.
- D. For a facility that accepts major appliances for recycling, the facility must be registered with the MPCA and the U.S. Environmental Protection Agency as a hazardous waste generator. The facility must have equipment capable of removing and storing freon from those units which contain freon. The facility must also remove any material (capacitors, mercury switches, etc.) which are listed as hazardous waste by the State of Minnesota and insure that these materials are disposed of according to the State and Federal regulations.

E.05. Contingency action plan. The owner or operator of a recycling center must prepare and maintain a contingency action plan for that facility. The plan must discuss what actions will be taken if a fire, spill, or release occurs at the facility and what backup system exists if the facility is closed for any period of time.

E.06. Closure. The owner or operator of a recycling facility must properly remove and treat or dispose of all waste and contaminated soil or structures at the time of closure.

APPENDIX F: TRANSFER STATION FACILITIES

F.01 Scope. Any transfer station facility shall be constructed, established, maintained and operated in accordance with the following provisions.

F.02 Applicability. This section shall apply to all persons seeking a permit to operate a Waste Facility for the transfer of Solid Waste after collection and prior to ultimate disposal. This section applies to existing and new transfer facilities. This section does not apply to canister systems. For the purpose of this Appendix, the location at which waste is transferred from one collection vehicle to another for the purpose of compliance with road weight restrictions or problems with vehicle access, and does not transfer more than 30 cubic yards of waste is not considered a transfer station.

F.03 Permit Requirements. The applicant shall submit a complete set of plans, specifications and reports prepared by a Registered Professional Engineer under the laws of the State of Minnesota. The applicant shall furnish:

- Subsection 1. Existing Conditions Plan. A current map and aerial photograph of the area showing land use and zoning within one-fourth ($\frac{1}{4}$) mile of the waste site or facility. The map and aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, 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. United States Geological Survey datum shall be included and a north arrow drawn. A locational insert shall be included.
- Subsection 2. Plot Plan. A plot plan, including a legal description of the site and adjacent area, showing dimensions, location of soil borings, present and planned features, including, but not limited to roads, fencing, cover stockpiles, special construction materials and techniques, screening and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch.
- Subsection 3. Plans and Specifications. A set of plans and specifications 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 building within 500 feet of the proposed installation.
- Subsection 4. Final Contour Plan. An ultimate land use plan, 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.
- Subsection 5. Report. A report indicating:
 1. Geographical areas expected to be served by the proposed site, current population of the areas, and projected population figures for the period of the expected life of the facility.

2. The anticipated type, quantity and source of material to be processed or disposed of at the site.
3. The type and amount of equipment to be provided at the site for waste handling.
4. The area of the site in acres.
5. The name and address of the owner of the site or facility, and the name and address of individuals responsible for actual operation and maintenance of the site.
6. The intended operating procedures.
7. An estimate of the number of vehicles using the facility each day and the volume of solid waste deposited daily.
8. Recycling facility design criteria and the present and future population and area to be served by the recycling facility, and the characteristics, quantities and sources of solid waste to be processed.

Subsection 6. Contingency Plans. Plans for the disposal of solid waste in the event of the recycling facility or transfer vehicles closure or breakdown.

Subsection 7. Additional Data. Such additional clarifying data as may be requested by the Department.

F.04 Construction Requirements. The permittee of any solid waste Transfer Facility shall establish and/or provide evidence of the following:

- Subsection 1. Comfort. Sanitary Facilities and shelters for site personnel.
- Subsection 2. Electricity. Electrical services for operations and repairs.
- Subsection 3. Fire Protection. The permittee shall arrange for fire protection services and may be required to provide written evidence of such agreement to the Department.
- Subsection 4. First Aid. Emergency first aid equipment to provide adequate treatment of accidents.
- Subsection 5. Water. A potable water supply for facility personnel.
- Subsection 6. Telephone. A telephone in working condition.
- Subsection 7. Access. A fence and gate both at least six (6) feet high that shall be locked when the attendant is not on duty.
- Subsection 8. Ingress-Egress. A road to the unloading area maintained in good condition so that it will be passable at all times.

- Subsection 9. Sign. A sign at the entrance to the facility stating the name of the facility, the schedule of days and hours the facility is open to the public, a statement that dumping or operation at any hours other than what is stated is unlawful, prices for use of the facility, the agency permit number and, if applicable, a statement and symbol indicating that recyclable materials are accepted for recycling. The Department shall approve the sign and its placement prior to permitting.
- Subsection 10. Equipment. Equipment sufficient to conduct applicable operations and sufficient reserve equipment or written agreements to immediately provide for equipment during periods of breakdown.
- Subsection 11. Minimal Interference with Other Activities. The Transfer Station Facilities shall be so situated, equipped and maintained as to minimize interference with other activities in the area.
- Subsection 12. Shelter and Sanitation. Shelter and sanitary facilities shall be available in the area.
- Subsection 13. Unloading. Adequate holding bin capacity shall be provided for all incoming solid waste.
- Subsection 14. Dust Control. Facilities shall be designed to provide for dust control in the loading and unloading areas.
- Subsection 15. Weighing Facilities. The transfer station facilities shall have weighing facilities available if required by the Department.
- Subsection 16. Emergency Communication. Adequate communication facilities shall be provided for emergency purposes.
- Subsection 17. Cleaning Equipment. 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.
- Subsection 18. Safety Equipment. The loading and unloading areas as well as all equipment throughout the facilities shall be provided with safety equipment.
- Subsection 19. Road Construction and General Landscaping. 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.
- Subsection 20. Inspection. Upon completion of the facilities and prior to initial operation, the Department shall be notified to allow personnel of the Department to inspect the facilities.

F.05 Operation Requirements. The permittee shall operate solid waste transfer station facilities pursuant to the following procedures:

- Subsection 1. Burning. Open burning of solid waste is prohibited.

- Subsection 2. Scavenging. Unauthorized removal of waste materials is prohibited.
- Subsection 3. Recycling. Recycling shall be allowed only if specifically set forth in the application and permit and then only if recycled materials are removed daily from the premises or placed in an approved device or building.
- Subsection 4. Litter. The permittee shall keep the site and areas along public and private access roads free of litter, and permittee shall prevent litter from blowing onto and accumulating on real property adjacent to the facility.
- Subsection 5. Nuisances. The permittee shall prevent or eliminate any public nuisance by the control of vectors, such as rodents and flies, and of odors, dust windblown material and other potential public health nuisances. Should the Department so prescribe, the permittee shall engage a pest control company licensed by the State of Minnesota to inspect the facility and perform any necessary pest eradication. The permittee shall send a copy of each inspection report to the Department within five (5) days of its receipt by the permittee.
- Subsection 6. Alterations and additions. The permittee shall make no alterations or additions affecting the construction of operational requirements of the waste facility without the written consent of the Department.
- Subsection 7. Supervision. A state certified attendant shall be on duty at the waste facility at all time while it is open for public use and shall continuously supervise the unloading of refuse at the unloading area.
- Subsection 8. Ingress-Egress. The permittee shall control all incoming and outgoing traffic in such a manner as to provide orderly and safe ingress and egress.
- Subsection 9. Records. The permittee shall maintain in a manner acceptable to the Department, accurate daily records containing information pertinent to the facility operation. The permittee shall allow the Department and its designated agents access to said records for review and inspection at any reasonable time. As a minimum, the permittee shall maintain records indicating the type and quantity of solid waste passing through the facilities.
- Subsection 10. Minimal Interference with Other Activities. The Transfer Station Facilities shall be so operated as to minimize interference with other activities in the area.
- Subsection 11. Information Display. 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.

- Subsection 12. Unloading. All incoming solid waste to be transferred at the facilities shall be confined to the loading/unloading area and shall be conducted in such a manner as to eliminate odor and litter outside the facilities.
- Subsection 13. Fire Protection. Arrangements shall be made with the local fire protection agency to provide fire fighting forces in an emergency.
- Subsection 14. Emergency Communication. Adequate communication facilities shall be provided for emergency purposes.
- Subsection 15. Cleaning equipment. Equipment shall be provided in the loading/unloading 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.
- Subsection 16. Waste Removal and Clean-Up. When stated in and as a part of the permit, the permittee shall take away all Solid Waste, wash, clean and disinfect the station at the end of each day or use.
- Subsection 17. Safety Equipment. The loading and unloading areas as well as all equipment throughout the plant shall be provided with safety equipment.

APPENDIX G: SOLID WASTE STORAGE

G.01 Scope. Any solid waste storage facility shall be constructed, established, maintained and operated in accordance with the following provisions.

G.02 Storage Classification.

- Subsection 1. Solid Waste Accumulations. Owners and managers of every property shall be responsible for maintaining all open 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, appliances, fixtures, and equipment so damaged, deteriorated or obsolete as to have no 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) and 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.
- Subsection 2. 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.
- Subsection 3. Provide Facilities Required 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 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.

G.03 Methods of Storage.

- Subsection 1. Frequency of Container Services. Every property owner shall cause the container contents to be removed and deposited at a place allowed by this ordinance. Non-putrescible wastes suitable and sorted for recycling 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.
- Subsection 2. 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) lbs.

2. Mechanically serviced containers designed, equipped, and located to be emptied or carried by mechanical means suitable for 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 or retrofitted to meet American National Standards Institute (ANSI) Standard (Z 245.3-1077) for the Stability of Refuse Bins.
4. Single use containers not meeting the above requirements may be used for Yard Waste provided the container is:
 - a. Constructed of moisture resistant materials.
 - b. Adequately designed to contain the waste.
 - c. Closed to resist the entrance of water.
 - d. Loaded no more than fifty-five (55) lbs.
 - e. Strong enough to allow collection and loading by hand.

Subsection 3. 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.

Subsection 4. Solid Waste Burning Prohibited. Burning of Solid Waste shall be prohibited except (a) as allowed at a permitted Solid Waste Facility, (b) as allowed under the terms of a "Permit For Open Burning" issued by authority of the MPCA, (c) as allowed by Agency Rules.

APPENDIX H: WASTE TIRE FACILITIES

H.01 Scope. Any waste tire waste facility shall be constructed, established, maintained and operated in accordance with the following provisions.

H.02 Applicability. This section shall apply to all persons seeking a permit to operate a waste tire processing or collection site.

H.03 Exceptions. A permit shall not be required for the following:

- Subsection 1. A retail tire seller for the retail selling site if no more than 500 waste tires are kept on the business premises.
- Subsection 2. An owner or operator of a tire retreading business for the business site if no more that 3,000 waste tires are kept on the business premises.
- Subsection 3. An owner or operator of a business who, in the ordinary course of business, removes tires from motor vehicles if no more than 500 waste tires are kept on the business premises.
- Subsection 4. A permitted MMSW land disposal facility with less than 5,000 waste tires stored above ground at the permitted site.
- Subsection 5. A person using waste tires for agricultural purposes if the waste tires are kept on the site of use and shall not exceed 250 tires on-site unless special permission is granted by the Department.

H.04 Permit Requirements. The applicant shall submit three complete sets of plans, specifications and reports prepared by a Registered Professional Engineer under the laws of the State of Minnesota. The applicant shall furnish:

- Subsection 1. Existing Conditions Plan. A current map and aerial photograph of the area showing land use and zoning within one-fourth (¼) mile of the waste site or facility. The map and aerial photograph shall be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, 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. United States Geological Survey datum shall be included and a north arrow drawn. A locational insert shall be included.
- Subsection 2. Plot Plan. A plot plan, including a legal description of the site and adjacent area, showing dimensions, location of soil borings, present and planned features, including, but not limited to roads, fencing, cover stockpiles, special construction materials and techniques, screening and monitoring points if planned for. The scale of the plot plan shall not be greater than 200 feet per inch.
- Subsection 3. Final Closure Plan. An ultimate land use plan, 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 that 200 feet per inch.

Subsection 4. Report. A report indicating:

1. Geographical areas expected to be served by the proposed site, current population of the areas, and projected population figures for the period of the expected life of the facility.
2. The anticipated type, quantity and source of material to be processed or disposed of at the site.
3. The type and amount of equipment to be provided at the site for waste handling.
4. The area of the site in acres.
5. The name and address of the owner of the site or facility, and the name and address of individuals responsible for actual operation and maintenance of the site.
6. The intended operating procedures.
7. An estimate of the number of vehicles using the facility each day and the volume of solid waste deposited daily.

H.05 Construction Requirements. The permittee of any waste tire facility shall establish and/or provide evidence of the following:

- Subsection 1. Comfort. Sanitary Facilities and shelters for site personnel.
- Subsection 2. Electricity. Electrical services for operations and repairs.
- Subsection 3. Fire Protection. The permittee shall arrange for fire protection services and may be required to provide written evidence of such agreement to the Department.
- Subsection 4. First Aid. Emergency first aid equipment to provide adequate treatment of accidents.
- Subsection 5. Water. A potable water supply for facility personnel.
- Subsection 6. Telephone. A telephone in working condition.
- Subsection 7. Access. A fence and gate both at least six (6) feet high that shall be locked when the attendant is not on duty.
- Subsection 8. Ingress-Egress. A road to the unloading area maintained in good condition so that it will be passable at all times.
- Subsection 9. Sign. A sign at the entrance to the facility stating the name of the facility, the schedule of days and hours the facility is open to the public, a statement that dumping or operation at any hours other than what is stated is unlawful, prices for use of the facility, the agency permit number and, if applicable, a statement and symbol indicating that recyclable materials are accepted for recycling. The

Department shall approve the sign and its placement prior to permitting.

Subsection 10. Equipment. Equipment sufficient to conduct applicable operations and sufficient reserve equipment or written agreements to immediately provide for equipment during periods of breakdown.

H.06 Operation Requirements. The permittee shall operate waste tire facilities pursuant to the following procedures:

Subsection 1. Burning. No operations involving the use of open flames, blow torches or highly flammable substances shall be conducted within 50 feet of a waste tire pile.

Subsection 2. Scavenging. Unauthorized removal of waste materials is prohibited.

Subsection 3. Litter. The permittee shall keep the site and areas along public and private access roads free of litter, and permittee shall prevent litter from blowing onto and accumulating on real property adjacent to the facility.

Subsection 4. Nuisances. The permittee shall prevent or eliminate any public nuisance by the control of vectors, such as rodents and flies, and of odors, dust windblown material and other potential public health nuisances. Should the Department so prescribe, the permittee shall engage a pest control company licensed by the State of Minnesota to inspect the facility and perform any necessary pest eradication. The permittee shall send a copy of each inspection report to the Department within five (5) days of its receipt by the permittee.

Subsection 5. Alterations and additions. The permittee shall make no alterations or additions affecting the construction of operational requirements of the waste facility without the written consent of the Department.

Subsection 6. Supervision. An attendant shall be on duty at the waste facility at all time while it is open for public use and shall continuously supervise the unloading of refuse at the unloading area.

Subsection 7. Ingress-Egress. The permittee shall control all incoming and outgoing traffic in such a manner as to provide orderly and safe ingress and egress.

Subsection 8. Records. The permittee shall maintain in a manner acceptable to the Department, accurate daily records containing information pertinent to the facility operation. The permittee shall allow the Department and its designated agents access to said records for review and inspection at any reasonable time. As a minimum, the permittee shall maintain records indicating the type and quantity of solid waste passing through the facilities.

- Subsection 9. Acceptable Waste. The permittee shall accept only waste tires at the collection site.
- Subsection 10. Storage Area. The permittee shall prohibit piling of waste tires within the following regions:
1. Shoreland.
 2. Flood plain.
 3. Wetlands.
- Subsection 11. Tire Storage Requirements. The permittee shall:
1. Confine waste tires to as small an area as practicable with individual piles not more than 10,000 square feet in area and 20 feet in height.
 2. Provide a fifty foot wide perimeter fire lane and a minimum twelve foot separation between piles of waste tires to allow access for trucks and emergency vehicles. All fire lanes must be maintained free of rubbish and vegetation at all times.
 3. Provide trenching or other adequate measures to minimize the potential for fire spreading. Tires stored indoors must meet the National Fire Protection Association (NFPA) "Standard for Storage of Rubber Tires", Publication 231.D.
 4. Construct piles of waste tires to minimize accumulation of stagnant water in order to maintain the area free of rodents and to minimize mosquitos and other vectors.
- Subsection 12. Property Line. The permittee shall maintain a minimum separating distance of one-hundred (100) feet between the waste tires processing and collection site operations and the adjacent property line.
- Subsection 13. Water Management. The permittee shall divert surface waste drainage around and away from the collection area.
- Subsection 14. Screening. The permittee shall provide adequate visual screening to reduce visibility of above-grade operations from housing or public right-of-ways by use of natural objects, trees, plants, seeded soil berms, fences or other means deemed suitable by the Department.

H.07 Waste Tire Reduction. Waste tire processing and collection sites and tire dumps in existence prior to the effective date of the ordinance, shall reduce the accumulation of waste tires by processing and/or marketing to amounts, within time limits established by the Department.

H.08 Cessation of Operations. Upon cessation of waste tire processing operations, the permittee, owner and operator shall be responsible for removing all waste tires and tire products from the site.

APPENDIX I: COLLECTION AND TRANSPORTATION

I.01 Scope. Any person who operates a service for the purpose of collecting and transporting solid waste and/or recyclables must maintain and operate the service in accordance with the following provisions. In addition to the following, the collection and transportation of solid waste shall meet all the requirements of Minnesota Rules, Chapter 7035.0800.

I.02 Applicability. This section shall apply to all persons seeking to operate a vehicle for transportation and/or collection of solid waste and/or recyclables within Le Sueur County. This section does not apply to those who transport materials that have been collected for recycling and are being transported from a permitted or registered recycling facility to a processing facility or market.

I.03 Required Permits. A vehicle transporting solid waste from a single household or a vehicle hauling solid waste from outside of Le Sueur County to another place outside of Le Sueur County is exempt from permit requirements. Vehicles that are transporting only recovered materials, concrete, brick, bituminous concrete, trees, or structural metals are also excluded from the requirements of this section unless these materials are being hauled to a solid waste management facility located within Le Sueur County. All other vehicles transporting solid waste within Le Sueur County shall possess one of the following permits:

Subsection 1. Transportation Permit. Any person, firm or corporation that transports solid waste via highways and roads in Le Sueur County must obtain a Transportation Permit every two years.

Subsection 2. Collection/Transportation Permit. Any person, firm, or corporation that collects solid waste within Le Sueur County and transports solid waste via highways and roads in Le Sueur County must annually obtain a Collection/Transportation Permit.

Subsections 3. Permit Application. Application for Transportation and Collection/Transportation Permits shall be made upon forms provided by the Department.

I.04 Transportation Permit Requirements.

Subsection 1. Persons, firms or corporations intending to transport solid waste in Le Sueur County shall submit the following information:

1. The name and address of the applicant.
2. A description of each vehicle to be used for solid waste transportation, including the vehicle identification, make, model, year, the capacity of the body or the capacity and number of rollovers.
3. The date of the last State of Minnesota safety inspection of the vehicle.
4. The location and address describing the place where the applicant is storing his equipment/vehicle.

5. Current copy of certificate of insurance, indicating proper insurance coverage for the period of the permit, including the name of the insurance carrier, its agent, policy number, and effective dates.
6. The applicant shall submit a description of the route(s) to be followed by his Solid Waste collection and transportation vehicles during the collection and transportation of Solid Waste.
7. The estimated weekly weight of volume of solid waste transported. Including the destination of the solid waste.
8. A statement by the applicant that shows that he/she:
 - a. utilizes county designated routes
 - b. that vehicle operators possess proper Minnesota drivers licenses.
9. Other information the county may reasonably require including applicant's signature, and appropriate fees for the permit.

Subsection 2. Labeling. The permittee shall display a decal provided by the Department on a location on each vehicle specified by the Department. In addition, the permittee shall display name, address, and telephone number of the Collector on each side of the vehicle. Letters and numbers shall be at least three (3) inches high.

Subsection 3. Inspection. The Department may inspect and approve any Solid Waste Collection and transportation vehicles prior to giving approval.

I.05 Collection/Transportation Permit Requirements.

Subsection 1. Submittals. Persons, firms or corporations intending to collect and transport solid waste in Le Sueur County shall submit the following information:

1. The name and address of the applicant.
2. A description of each vehicle to be used for collection and solid waste transportation, including the vehicle identification, make, model, year, the capacity of the body or the capacity and number of rollofs.
3. The date of the last State of Minnesota safety inspection of the vehicle.
4. The location and address describing the place where the applicant is storing his equipment/vehicle.
5. Current copy of certificate of insurance, indicating proper insurance coverage for the period of the permit, including the name of the insurance carrier, its agent, policy number, and effective dates.

6. A map of the area of each city, township, and county served.
7. The applicant shall submit a description of the route(s) to be followed by his Solid Waste collection and transportation vehicles during the collection and transportation of Solid Waste. Include the destination of the solid waste.
8. On a form or forms provided by the Department, the applicant shall submit information to the Department regarding applicant's routes, type and quantity of waste collected, and such other information as the Department may require.
9. A copy of approvals if required by the governing body of any municipality to be served.
10. A statement by the applicant that shows that he/she:
 - a. utilizes county designated routes
 - b. that vehicle operators possess proper Minnesota drivers licenses.

Subsection 2. Labeling. The permittee shall display a decal provided by the Department on a location on each vehicle specified by the Department. In addition, the permittee shall display name, address, and telephone number of the Collector on each side of the vehicle. Letters and numbers shall be at least three (3) inches high.

Subsection 3. Inspection. The Department may inspect and approve any Solid Waste Collection and transportation vehicles prior to giving approval.

I.06 Applicant Review. After receiving a complete application, the Department shall submit the application to the Board at earliest convenient time and the Board shall have 30 days to either grant or deny the permit. If an applicant is not granted a permit he shall be notified in writing of the reasons therefore. Failure of the Board to act on an application within 30 days shall constitute a denial. A denial shall be without prejudice to the applicant's right to file a further application. Submission of false information may constitute ground for denying a permit or permit renewal, or suspension by revocation of an issued permit.

I.07 Operation and Maintenance Requirements.

Subsection 1. Equipment Requirements. All Solid Waste collection and transportation vehicles shall be easily cleanable, leak-proof, and be covered with metal, canvas, or fishnet type material made for this purpose.

Subsection 2. Maintenance. The permittee shall maintain all Solid Waste collection and transportation vehicles in a safe and sanitary manner, and provide brooms and shovels on each vehicle for the purpose of cleaning spilled material. All safety equipment including but not limited to horns, lights, reflectors shall be operable.

- Subsection 3. Protection Private Property. The permittee shall take reasonable care to protect the property of customers being served. The permittee shall be responsible for any damage or spillage of Solid Waste as a result of his action.
- Subsection 4. Smoking, Smoldering or Burning Waste. The permittee shall not collect and transport waste materials that are smoking, smoldering or burning.
- Subsection 5. Dumping in an Emergency. The permittee shall be responsible for the cleanup of any waste that must be dumped in an emergency. The operator of the vehicle shall immediately notify the Department and the appropriate law enforcement agency and emergency service of such a dumping and clean the area with in a time limit set by the Department.

I.08 Volume of Weight Based Fees.

- Subsection 1. In accordance with Minnesota Statutes 115A.93, all fees for the collection of mixed municipal solid waste assessed by collectors operating within Le Sueur County shall be based on either a volume or weight based system. For volume or weight based fees, the fee shall increase, with the volume or weight of the waste collected. These fees shall be implemented no later than May 1, 1992 in municipalities, and January 1, 1994 in the unincorporated areas of the County.
- Subsection 2. A pricing system based on volume instead of weight shall have a base unit size of 33 gallons, or less, for waste collected from households, waste collected from commercial/industrial collection may have a larger base unit size. In the event that a multiple unit pricing system is established, the waste generated in excess of the base unit shall be priced to reflect the actual difference in tip fees at the disposal facility used by the collector. For multiple unit pricing systems, the generator shall be able to change between the different systems within 60 days. The collector shall submit fees schedules to the Department for review to insure compliance with this Ordinance.
- Subsection 3. Municipalities or Townships within Le Sueur County that contract with refuse collectors must contract only with a refuse collector who is licensed by Le Sueur County. Contracts must also be consistent with the provisions in this Ordinance.
- Subsection 4. A municipality or township that collects charges for mixed municipal solid waste collection directly from waste generators shall implement charges consistent with Subsection 2 above.
- Subsection 5. For the purpose of this section, farms are to be considered households for purposes of fee calculation.

I.09 Recyclables Collection

- Subsection 1. Any person, firm, or corporation which collects refuse under authority of this ordinance must provide a service (either directly or through written subcontract with a person or company approved by Le Sueur County as a condition to the license) to collect recyclables curbside from all single family residential (which includes farm homes), multiple family residential, commercial and industrial customers in Le Sueur County. The recyclables to be collected shall include at least those materials accepted at the recycling facility which Waste Management of Le Sueur/St.Peter operates under contract with the TRI-County Joint Powers Board and the Counties of Le Sueur, Sibley, and Nicollet. This includes news paper, glass food and beverage containers, metal food and beverage containers, and number 1 & 2 plastics for residential customers and office paper and corrugated for commercial and industrial customers. Additional materials may be added to this list by Resolution of the County Board after the effective date of this Section. All licensed firms shall be given 120 days advance notice in writing of the proposed additional recyclable material(s) and shall be notified 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 Department.
- A. The Refuse Collection Service may specify the type of container their customer must place the recyclables in. The containers must be provided by the Refuse Collection Service or already available to a customer at the time this Ordinance provision becomes effective.
 - B. The collection location must be on the customer's property in a location at or near the regular solid waste collection site or such location mutually agreeable to the hauler and the customer.
 - C. The Refuse Collection Service may specify how a customer is to place their recyclables out for collection and how the recyclables are to be prepared. The Department reserves the right to review and modify the amount of preparation required by the Refuse Collection Service in consideration of local recyclable market requirements.
 - D. The Refuse Collection Service 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. A Refuse Collection Service may not dispose of any recyclables in or on the land, nor through

incineration unless given prior written approval to do so by the Department.

- F. Municipalities or Townships within Le Sueur County that contract for refuse collection service, must include recyclables collection as part of their contract. Municipalities or townships within Le Sueur County that provide refuse collection service directly, may provide an alternative recyclables collection method provided the alternative method collects recyclables quantities from their jurisdiction that are similar to recycling quantities collected by curbside programs in other Le Sueur County Municipalities or Townships.

Subsection 2. This Section shall take effect on February 1, 1993.