

Inver Grove Heights Environmental Advisory Commission
8150 Barbara Avenue
Thursday, July 25, 2024 at 7:00 p.m.

Meeting Minutes

1. Call to Order

The Environmental Advisory Commission of Inver Grove Heights met in City Council Chambers on Thursday, July 25, 2024. Chair Goodman called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

2. Roll Call

Present: Chair Sara Goodman; Commissioners: Marjorie Savage, Patti Mikulski, Tracie Killion, Nick Ruiz, Ted Trenzeluk,

Absent: Jon Wallerick, Nicole Boehmke, Kevin Sethre

3. Presentations

A. Presentation on Pine Bend Landfill's Vertical Capacity Expansion Request

Ally Sutherland, Environmental Specialist, and Jeff Ubl, Senior Environmental Engineer with Barr Engineering, presented a PowerPoint presentation reviewing the following topics:

1. Pine Bend Landfill Background
 - a. Located on 2495 117th St., between Highways 52/55 and Rich Valley Boulevard
 - b. Sanitary landfill (mix of municipal, non-hazardous industrial, construction and demolition debris, non-infectious waste, and asbestos)
 - c. Currently permitted to accept up to 33.9 million cubic yards of waste
 - d. August 2023 remaining capacity was 2.9 million cubic yards
 - e. Annual fill rate: 600,000 cubic yards
2. Proposed Expansion (Phase 7)
 - a. This expansion request is for 8,185,800 additional cubic yards (7.8 million for waste, remaining cubic yards for final cover)
 - b. Would achieve this by extending existing 3:1 slopes vertically around the entire perimeter of the landfill (no horizontal footprint increase)
 - c. Would extend the life of the landfill by 13.6 years
 - d. Would raise the height by 86.8 feet at the highest point
 - e. Street view renderings were shown to illustrate what the landfill will look like from seven locations in 2042 (after capacity is reached and a final cover is added)
3. Government Roles and Pine Bend Landfill's Task Timeline
 - a. MPCA (Minnesota Pollution Control Agency) issues and enforces solid waste permits with requirements related to:
 - i. waste acceptance
 - ii. groundwater monitoring systems
 - iii. leachate recirculation
 - iv. solid waste composting
 - v. groundwater quality
 - vi. surface water management

- vii. waste capacity
 - viii. liner and leachate collection system design
 - ix. gas monitoring
 - x. gas extraction/treatment systems
 - xi. final cover design
 - xii. closure/post-closure/contingency action
 - xiii. operation and maintenance plans
 - xiv. final assurance cost estimates
 - b. Dakota County develops and enforces conditions of County approvals (Solid Waste Master Plan, Dakota County Ordinance 110, facility licenses, and Host Community Agreements)
 - c. City of Inver Grove Heights exercises planning and zoning authority by developing and enforcing conditions of City approvals (Zoning Code amendment, Non-Conforming Use Certificate, Conditional Use Permit, and new Host Community Agreement)
 - d. Task Timeline
 - i. September 2022 -- Request for Major Modification submitted to MPCA
 - ii. October 2023 -- EAC and CC considered approval of the City's MPCA application comments
 - iii. November 2023 -- EAW (Environmental Assessment Worksheet) and AQP (Air Quality Permit) were published for public comment
 - iv. March 2024 -- MPCA determined that an EIS (Environmental Impact Statement) was not needed
 - v. May 2024 -- MPCA reissued AQP to Pine Bend Landfill after incorporating public comments
 - vi. August 2024 -- Informational presentations at this and other City commission meetings (ongoing)
 - vii. Future tasks
 - 1. City Council will make a determination on the request
 - 2. Pine Bend Landfill will work with Dakota County on their county application and receive a determination from the County
 - 3. Once the City and County have acted, MPCA will make their determination
4. Requests for City Approval
- a. Zoning Ordinance Amendment to allow vertical capacity expansion as a Conditional Use, provided that the landfill has a Non-Conforming Use Certificate, is in compliance with that certificate, and meets other conditions (final cover, liners, leachate collection, gas extraction, height, property boundaries, capacity, and acceptable wastes)
 - b. Conditional Use Permit to allow a vertical capacity expansion of 8,185,800 cubic yards, including 7,888,250 cubic yards of waste
 - c. Non-Conforming Use Certificate Amendment to allow the capacity expansion and maximum elevation increase
5. 2018 Conditional Use Permit (Phase 6)
- a. Expansion of an existing landfill is allowed by approval of a Conditional Use Permit, which sets conditions on the expansion request.
 - b. 2018 Conditions:

- i. Established legal process related to approval
 - ii. Reaffirmed and ratified the 2004 CUP; added new conditions
 - iii. Authorized side slope capacity expansion of 3.53 million cubic yards
 - iv. Required conformance to submitted development plans
 - v. Required conformance to all historical approvals including CUP and NCUC amendments
 - vi. Reiterated the waste types accepted
 - vii. Restricted traffic queuing on 117th
 - viii. Required connecting leachate collection to sanitary sewer whenever available (currently, leachate is being trucked out)
 - ix. Established construction hours for the expansion
 - x. Required compliance with state rules/MPCA Solid Waste Permit, including surface and groundwater monitoring; dual gas/leachate extraction; liner leak detection; and leachate collection, transportation, and treatment
 - xi. Required Pine Bend to bring gas migration into compliance with Minnesota Rule 7035.2815, Subpart 11, for subsurface gas management requirements near property boundaries
 - 1. Set a deadline of January 1, 2025 for six consecutive months of compliance, stipulating that if conditions are not met, the landfill must temporarily cease accepting waste
 - xii. Required the landfill to maintain an MPCA air emissions permit
- 6. Barr Engineering's Reviews
 - a. Background
 - i. Barr Engineering is the City's landfill consultant; it completes the technical reviews of landfill applications and reports on behalf of the City and advises the City on environmental matters related to landfills in IGH. Phase 6 included new liners and steeper side slopes; Phase 7 will extend the side slopes vertically.
 - b. May 2024 - Review of Pine Bend Landfill's application to MPCA
 - i. Barr Engineering underwent four rounds of review on the MPCA Permit Application. MPCA then determined an EIS (Environmental Impact Statement) was not required.
 - c. July 2024 - Draft review of Pine Bend Landfill's application to the City
 - i. Barr Engineering issued a draft letter to the City summarizing Pine Bend Landfill's application and the regulatory history. Barr recommends several modifications to the Zoning Ordinance, NCUC, and CUP.
 - 1. Key environmental considerations for expansion:
 - a. Increased visibility and potential increase in litter and odor due to proposed increased height
 - i. Both should be mitigated by intermediate and final covers
 - b. Benefit from additional landfill gas (will be converted to natural gas)
 - c. No impact to subsurface gas migration, as that is occurring due to the unlined sections
 - d. Potential concerns to surface water due to extended slopes, but the conveyance plans mitigate these somewhat

7. Discussion Questions

- a. What additional information would you like to receive from the staff/applicant related to the request?
- b. What are your greatest areas of concern related to the applicant's request?

Commissioner Killion stated the increased landfill height may result in aesthetic improvements for residents facing south by blocking the view of Pine Bend Refinery in Rosemount. Commissioner Nick Ruiz echoed the comment.

Commissioner Trenzeluk asked whether a liner will be added before the vertical expansion. Senior Environmental Engineer Ubl answered that a liner was added in Phase 6. There is no new liner/leachate collection system included as part of Phase 7, but after Phase 7, the final cover will include a plastic component. Another engineering control to minimize leachate water contamination of groundwater

Commissioner Trenzeluk asked whether the liner is at risk of failure due to the additional weight. Senior Environmental Engineer Ubl answered that this had been considered in the Phase 7 review, and the liner was found to be adequate.

Commissioner Trenzeluk asked whether there would be an increase in gas migration or leachate issues due to the expansion. Senior Environmental Engineer Ubl answered that no additional impacts to groundwater or gas migration are projected for Phase 7 due to the liner added in Phase 6.

Commissioner Trenzeluk asked about increased PFAS risk due to the expansion. Senior Environmental Engineer Ubl said that three main issues are metals, volatile organic compounds, and PFAS; the latter are the most difficult to deal with because they do not degrade or get absorbed into the soil.

Commissioner Trenzeluk asked about odor. Senior Environmental Engineer Ubl said that Pine Bend Landfill did modeling for this in an earlier phase. They are not aware of complaints from neighbors. Odor is difficult to predict; there may be a decrease in odor due to the height increase.

Commissioner Trenzeluk brought up the possibility of waste accumulating at a faster rate, which would shorten the life of the landfill.

Commissioner Savage asked about the 2018 Conditional Use Permit's deadline for addressing gas migration issues (six months of compliance by January 1st, 2025). She asked whether the City intends to enforce the deadline and halt waste collection at Pine Bend Landfill. Environmental Specialist Ally Sutherland confirmed that Pine Bend Landfill is currently not in compliance. Senior Environmental Engineer Ubl said that the gas migration issue has been much harder to address than anticipated. In 2018, everyone thought the problem would be solved by 2025. He recommended considering this when writing the new CUP.

Commissioner Killion asked about the triggers for environmental assessment. Senior Environmental Engineer Ubl answered that most projects end up not requiring an Environmental Impact Statement. He said that it is a judgment call by MPCA, but he added that the Environmental Quality Board has rules

with triggers for all kinds of development projects - projects adding 10% to 25% of the previous permitted capacity would trigger an EAW (Environmental Assessment Worksheet); projects adding more than 25% triggers an EIS (Environmental Impact Statement).

Chair Goodman asked whether the vertical capacity would lead to less leachate overall due to the steeper slope. Senior Environmental Engineer Ubl answered that the plastic liner would have more of an impact on the quantity of leachate than the increased slope.

Chair Goodman asked about plans for connecting Pine Bend Landfill to a sanitary sewer. City Administrator Kris Wilson said that extension of the sanitary sewer to Pine Bend Landfill is part of the planned reconstruction work on 117th Street, which is not finalized but is set to start in 2025. Wastewater could then be piped to a Metropolitan Council regional treatment plant (instead of being trucked there).

Commissioner Ruiz asked about whether the gas and leachate collection systems were designed to meet appropriate standards. Senior Environmental Engineer Ubl answered that the additional weight will not pose issues to the liner and gas wells systems.

Commissioner Ruiz asked how that was determined and what the standards are. Senior Environmental Engineer Ubl said that there are EPA requirements, which are too general to be used as standards in this context. There are Minnesota state requirements for slopes, liners, final covers, etc. Commissioner Ruiz reiterated the importance of having standards to add credibility to assessments.

Commissioner Trenzeluk asked about how effective wastewater treatment is at removing PFAS. Senior Environmental Engineer Ubl said that it's not effective. PFAS either goes into the river or into biosolids (the ash from burning these is then landfilled). Barr Engineering did a study on the cost of treating PFAS in wastewater plants, and it was prohibitively expensive. Thus, it makes more sense to address the sources of PFAS rather than try and treat it.

Jason Teiken, 7662 Addison Court, member of Planning Commission, expressed interest in alternatives for handling regional waste if the expansion is not approved and adding landscaping on top of the final cover. Environmental Specialist Ally Sutherland said staff and the applicant will take note of the comments for the next public meetings on these items.

4. Approval of Minutes

A. Approval of Minutes from the Thursday, June 27, 2024 Environmental Advisory Commission Meeting was tabled until August's meeting.

5. Regular Agenda

None.

6. Public Comment

None.

7. Commissioner and Staff Comments

Commissioner Trenzeluk asked if any public comments had been received on the vertical capacity expansion request. Environmental Specialist Ally Sutherland said she was not aware of any. She shared links for where to find information on public meeting dates related to landfills (ighmn.gov/landfills) and where to sign up for landfill email notifications (ighmn.gov/notifyme, select Landfills)

Environmental Specialist Ally Sutherland said August's meeting will likely be rescheduled to a special meeting.

8. Adjourn

Motion by Commissioner Savage, second by Commissioner Killion, to adjourn the meeting at 8:07 p.m.

Ayes: 6

Nays: 0 Motion carried.