INTRADEPARTMENTAL MEMORANDUM

FILE: Carrington (0001)

TO: Charles R. Hyatt, Director
Division of Waste Management

THROUGH: Diana A. Trussell, Manager
Solid Waste Program
Division of Waste Management

FROM: Lexi Craig, Environmental Scientist
Solid Waste Program
Division of Waste Management

SUBJECT: Permit Application Review

DATE: October 5, 2020

Introduction

On June 17, 2019, the North Dakota Department of Environmental Quality (Department) received a permit application for a renewal of Carrington's waste pile.

Carrington currently owns and operates a waste pile regulated under Permit 0001 on approximately 48 acres located in the NW ¼ of Section 13, Township 146 North, Range 67 West in Foster County, North Dakota. Carrington is proposing to renew their permit to continue to accept scrap metal, wood waste, yard waste, and storage of concrete and asphalt for recycling. The facility was first permitted in 1998.

Design

The facility consists of 48 acres, of which only 8 acres are usable for solid waste management, with access to the facility restricted by a lockable gate and fences. A railroad line borders the facility on its southern edge. There are no buildings or disposal pits located at the facility.

Operation

Both commercial businesses and individuals haul waste to the site. The facility accepts scrap metal, wood waste, and yard waste. They also use the site for storage of concrete and asphalt for recycling. Drainage ditches are used to divert storm water run-on and run-off. An operator is at the facility during hours of operation to ensure unauthorized waste is not accepted at the facility. Operators are certified through the Department's landfill operator training course.
Closure

Closure and postclosure plans for the facility were not included with this renewal application since there are no disposal pits to be closed during the life of the facility. All waste will be removed from the site and disposed of at a proper facility before the facility is closed.

Compliance History

No items of noncompliance have been noted since 1998.

Solid Waste Management Rules (NDAC 33.1-20)

NDAC 33.1-20-02.1-05. Record of notice.

A record of notice is not required for the facility as no waste disposal is taking place.

NDAC 33.1-20-02.1-06. Property rights.

Carrington owns and had the land platted in 1998. A certified copy of the deed was included with the original application.

NDAC 33.1-20-03.1-01. Preapplication procedures.

A preapplication is not required for an inert waste pile or transfer stations.

NDAC 33.1-20-03.1-02. Permit application procedures.

NDAC 33.1-20-03.1-02(1) – (3)

Carrington submitted a signed application and supporting documents to the Department on June 17, 2019. No application fee is required.

NDAC 33.1-20-03.1(4)

A public notice is not required for a permit renewal and no major modifications are being proposed.

NDAC 33.1-20-03.1(5)

Notification to the North Dakota Public Service Commission is not required as the facility is not proposing to dispose of coal processing wastes in a mining permit area.

NDAC 33.1-20-03.1(6)

Applications for a solid waste management unit or facility permit must include the following information where applicable:

a. A completed application form, subsection 1;

Carrington submitted a signed application and supporting documents to the Department on June 17, 2019. No application fee is required.
b. A description of the anticipated physical and chemical characteristics, estimated amounts, and sources of solid waste to be accepted, including the demonstration required by North Dakota Century Code section 23.1-08-14;

A detailed facility plan of operation was included with the original facility application. The landfill will only accept inert waste, burnable wood waste, compost, and concrete/asphalt which is stored for recycling.

c. The site characterization of section 33.1-20-13-01 and a demonstration that the site fulfills the location standards of section 33.1-20-04.1-01;

The application included a preliminary site assessment regarding site characterization and demonstrated that the site meets the location standards. Information can be found in the site's original permit application and Department files.

d. Soil survey and segregation of suitable plant growth material;

The application included a detailed soil survey map and information on the soils present at the site. Information can be found in the site's original permit application and Department files.

e. Demonstrations of capability to fulfill the general facility standards of section 33.1-20-04.1-02;

The application included a Plan of Operation which fulfills the requirements of this section. The plan of operation includes the following information:

- Facility location
- Self-inspection procedures
- Personnel training

f. Facility engineering specifications adequate to demonstrate the capability to fulfill performance, design, and construction criteria provided by this article and enumerated in this subdivision;

1) Transfer stations and drop box facilities, section 33.1-20-04.1-06.

The requirements of this section are not applicable as the facility is not proposing a transfer station or a drop box facility.


The application included information on the site's compost pile, burnable wood waste pile, scrap metal pile, and concrete/asphalt storage area which fulfills the requirements of this section.
3) Resource recovery, section 33.1-20-04.1-08:

The requirements of this section are not applicable as the facility is not proposing any resource recovery activities.

4) Land treatment, sections 33.1-20-04.1-09 and chapter 33.1-20-09.

The requirements of this section are not applicable as the facility is not proposing a land treatment facility.

5) Surface impoundments, sections 33.1-20-04.1-09 and chapter 33.1-20-08.1.

The requirements of this section are not applicable as the facility is not proposing any surface impoundments.

6) Any disposal, section 33.1-20-04.1-09.

The requirements of this section are not applicable as the facility is not proposing any disposal activities.

7) Inert waste landfill, chapter 33.1-20-05.1.

The requirements of this section are not applicable as the facility is not proposing an inert waste landfill.

8) Municipal waste landfill, chapter 33.1-20-06.1.

The requirements of this section are not applicable as the facility is not proposing a municipal waste landfill.

9) Industrial waste landfill, chapters 33.1-20-07.1 or 33.1-20-10.

The requirements of this section are not applicable as the facility is not proposing an industrial waste landfill.

10) Special waste landfill, chapter 33.1-20-07.1;

The requirements of this section are not applicable as the facility is not proposing a special waste landfill.

g. The plan of operation of section 33.1-20-04.1-03;

The application included a Plan of Operation which fulfills the requirements of this section. The plan of operation includes the following information:

- Waste acceptance procedures
- Emergency Plans
- Recycling procedures
h. Demonstration of the treatment technology of section 33.1-20-01.1-12;

The requirements of this section are not applicable as the facility is not proposing to treat waste.

i. The place where the operating record is or will be kept, section 33.1-20-04.1-04;

The operating record is kept at Carrington City Hall.

j. Demonstration of capability to fulfill the groundwater monitoring, section 33.1-20-13-02;

The requirements of this section are not applicable as the facility is an inert waste pile or transfer station and groundwater monitoring is not required.

k. Construction quality assurance and quality control;

The application included a Plan of Operation that fulfills the requirements of this section. No new buildings or expansions are planned.

l. Demonstrations of capability to fulfill the closure standards, section 33.1-20.1-04.1-05 and otherwise provided by this article;

Closure plans for the facility were not included with this renewal application since there are no disposal pits to be closed during the life of the facility. All waste will be removed from the site and disposed of at a proper facility.

m. Demonstrations of capability to fulfill the postclosure standards, section 33.1-20-04.1-09 and otherwise provided by this article; and

Postclosure plans for the facility were not included with this renewal application since there are no disposal pits to be closed during the life of the facility. All waste will be removed from the site and disposed of at a proper facility. No new waste will be accepted.

n. A disclosure statement as required by North Dakota Century Code section 23.1-08-17.

A disclosure statement that meets the requirements of this section was submitted to the Department on March 12, 2020.

**Site Specific Conditions**

The following conditions should be added to the permit:

**G.1.** Prior to closure of the facility, the Permittee must remove all waste from the site and the waste must be disposed of properly at a permitted solid waste management facility.
G.2. Upon closure of the facility, the Permittee shall reclaim the site to pre-existing conditions.

Conclusion

Based on the submitted application and items discussed above, it appears the City of Carrington has shown that the renewal meets the requirements of the North Dakota Solid Waste Management Rules. It is proposed that the Department grant the City of Carrington a permit with the conditions listed in Permit 0001 for a period of 10 years.

CRH:DAT:AAC
Attachment