



# MLCAT: Long-term funding for closed landfills

House Environment and Natural Resources Finance Committee

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# Metropolitan Landfill Contingency Action Trust (MLCAT)

- **Established:** 1984
- **Goal:** State to cover long-term care for certain metro closed landfills that accepted mixed municipal solid waste (MMSW)
  - Many of the MLCAT eligible landfills moved into CLP with its creation in 1994
- **Funds Provide:** Emergency funding and long-term care for remaining eligible landfills in the metro area

# MLCAT – eligible sites

- **4 closed construction and demolition landfills** (accepted a small amount of mixed municipal waste)
  - Begin – Hennepin County
  - Herbst & Sons – Ramsey County
  - Rosemount – Dakota County
  - Vadnais Heights – Ramsey County
- **1 unpermitted dump**
  - Pigs Eye Dump – Ramsey County
- **2 open landfills**
  - Burnsville – Dakota County
  - Pine Bend – Dakota County

## MLCAT – Source of funds

- 25 percent of Metropolitan Solid Waste Landfill Fee – Fee per ton on MMSW disposed of at the two open MMSW landfills in the metro area
  - Annual average of \$996,000 (based on 5 year historical average)
- Investment revenues by State Board of Investment
  - In 2016, \$8.1M from MLCAT was transferred to State Board of Investment for management

## MLCAT – 2003 legislative transfer

- 2003 session: \$9.905 million transferred from MLCAT to the General Fund
- Legislation included intent to pay back language
  - “It is the intent of the legislature to restore these funds to the metropolitan landfill contingency action trust fund as revenues become available in the future to ensure the state meets future financial obligations under Minnesota Statutes, section 473.845.”
- Funds have not be repaid

## MLCAT – 2005 legislative transfer

- 2005 session: \$4 million transferred from MLCAT to the renewable development account
- Legislation included intent to pay back language
  - “It is the intent of the legislature to restore these funds to the metropolitan landfill contingency action trust account as revenues become available in the future to ensure the state meets future financial obligations under Minnesota Statutes, section 473.845”
- Funds have not been repaid

## MLCAT – 2015 legislative transfer

- 2015 session: Transfer of \$8.1 million from MLCAT to the General Fund during a time of a budget surplus
  - Language was added if after any budget forecast there was an anticipated surplus the \$8.1 million would be repaid
- In November 2015, a surplus was projected in the budget forecast, entire \$8.1 million was repaid

# MLCAT Repayment Plan

- MLCAT legislative transfers from 2003 and 2005 (approximately \$14M) have not been repaid
- 2021 Session Law: Beginning in FY22, \$100,000 annually will be transferred from General Fund to the MLCAT account
- Under this repayment schedule it will take 140 years to pay back the \$14M



## MLCAT – current balance

Account Description	Balance (as of 1/10/22 )
State Board of Investments MLCAT Account	\$16.0M
MPCA Project Funds MLCAT Account	\$4.6M
<b>Total Account Balance</b>	<b>\$20.4M</b>

\*Use of Metropolitan Landfill Contingency Action Trust Account policy document guides MPCA's use of the funds

# Closed construction and demolition landfills with mixed municipal waste

## Begin Dump & Demolition Landfill - Plymouth



### Work Completed:

- Soil investigation
- Vapor intrusion mitigation of onsite building (by owner)

### Work In Progress:

- Groundwater investigation
- Vapor intrusion investigation
- FY22 - \$105,000 (projected)

### Next Steps:

- Soil vapor investigation at three buildings not sampled due to COVID protocol
- Vapor mitigation pending investigation
- Continued monitoring

# Closed construction and demolition landfills with mixed municipal waste

## Herbst & Sons Demolition Landfill - New Brighton



### Work Completed:

- Soil vapor investigation

### Work In Progress:

- Soil investigation
- Groundwater investigation
- FY22 - \$120,000 (projected)

### Next Steps:

- Monitoring well installation
- Continued monitoring

# Closed construction and demolition landfills with mixed municipal waste

## Rosemount Demolition Landfill



### Work Completed:

- Soil Investigation
- Monitoring well installation

### Work In Progress:

- Soil vapor investigation
- Groundwater monitoring
- FY 22 - \$105,000 (projected)

### Next Steps:

- Vapor mitigation pending investigation
- Continued monitoring

# Closed construction and demolition landfills with mixed municipal waste

## Vadnais Heights Demolition Landfill



### Work Completed:

- Soil investigation
- Monitoring well installation

### Work In Progress:

- Soil vapor investigation
- Groundwater monitoring
- FY 22 - \$129,572 projected to be spent this fiscal year.

### Next Steps:

- Vapor mitigation pending investigation
- Continued monitoring

# Associated Total Costs

Closed construction and demolition landfills with mixed municipal waste

Landfill	FY22	FY23-27
Begin	\$105,000	\$600,000
Herbst & Sons	\$120,000	\$620,000
Rosemount	\$105,000	\$575,000
Vadnais Heights	\$130,000	\$660,000
<b>Estimated Next Step Total Cost</b>	<b>\$460,000</b>	<b>\$2,455,000</b>

\*Estimated costs for future remedy implementation and continued maintenance will vary depending on remedy required.

Thank You!

Questions?



# Burnsville Sanitary Landfill

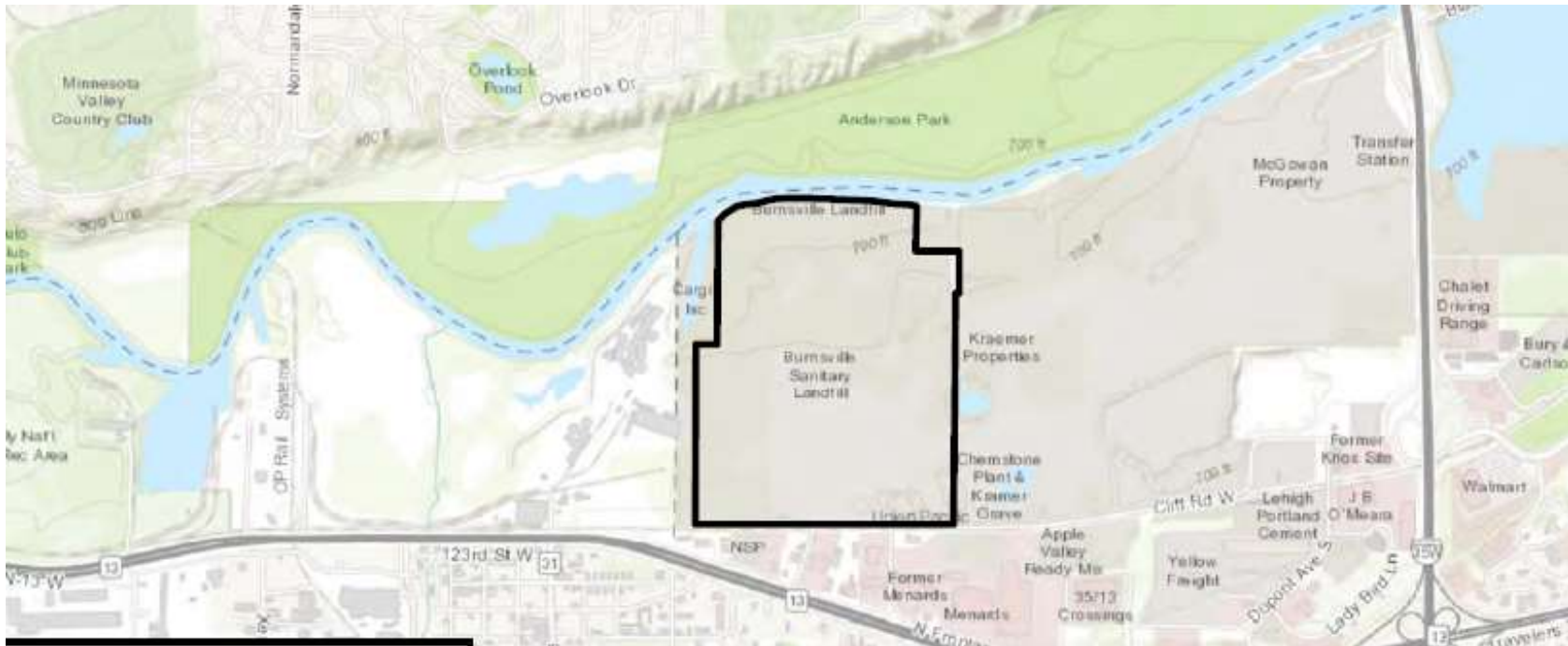
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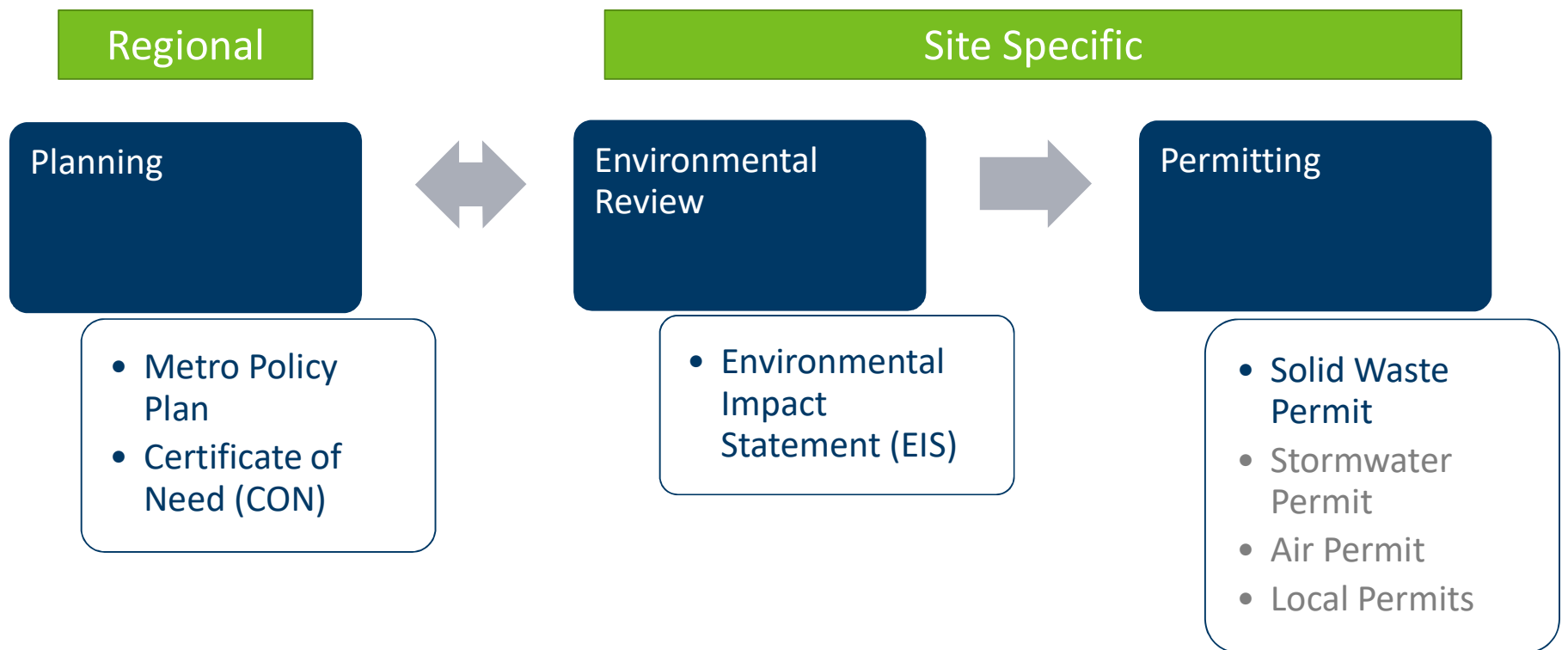
# Burnsville Sanitary Landfill



# Proposed BSL Project – Major Changes at Landfill

- Increase permitted MMSW disposal capacity
  - Increase BSL's permitted total disposal capacity from 28.6 to 45 million cubic yards (+16.4)
  - Convert BSL's currently permitted industrial waste disposal capacity to MMSW disposal capacity (+7.2 for MMSW and -7.2 for Industrial Waste)
  - Total increase in MMSW disposal capacity would be 23.6 million cubic yards
- Increase permitted peak elevation
  - from 820 to 1,082 feet above mean sea level (increase of 262 feet)
- Modify currently permitted waste disposal “footprint”
  - Reduces footprint from 216 to 204 acres
  - Remains outside 100 year floodplain of MN River as required by rules
- Extend operating life of MMSW portion of landfill
  - From ~2023 to ~2062

# How these processes fit together



Purpose: Support orderly and deliberate development and financial security of waste facilities.

- **Metro Policy Plan**

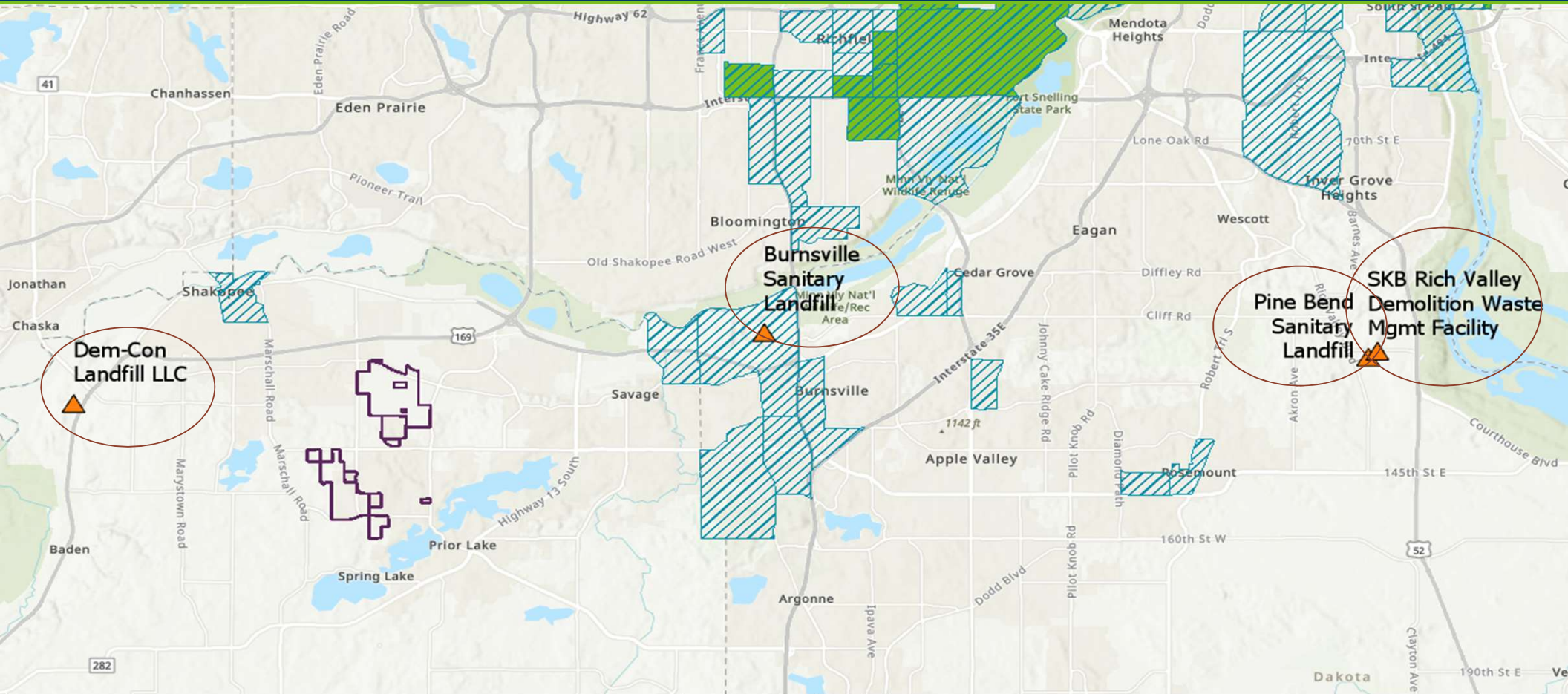
- Revised every six years
  - Current version approved in April 2017
- Summer 2022 – Initial draft of new plan



- **Certificate of Need (CON)**

- January 2021 – Applications received from four facilities:
  - Burnsville Sanitary Landfill (Burnsville), Pine Bend (IGH), Dem-Con (Shakopee), Rich Valley (IGH)
- May 2021 – Preliminary determination announced for public comment
- October 2021 – Preliminary determination finalized
  - Final determination for BSL will be made after SEIS is completed

# Applicant facilities



# Environmental Review

Purpose: Provide decision makers with usable information on environmental effects of a project.

- Supplemental Environmental Impact Statement (SEIS) looked at:
  - Waste volume and composition, groundwater, surface water, engineering controls, air quality, sociological impacts
  - Alternatives, including waste reduction and “No Build”
- Two versions issued for public comment:
  - June 2021 – Draft SEIS (for comment on contents)
  - December 2021 – Final SEIS (for adequacy only)
- Next Steps
  - The MPCA will prepare a response to comments received on Final SEIS and a Findings of Fact
  - The MPCA Commissioner will make a determination of adequacy on Final SEIS



# Permitting

Purpose: Provide environmental protection through technical review and permit conditions.

- Nov 2021 – Application Determined to be Administratively Complete
  - Acted on once CON preliminary determination made
- Staff currently performing technical adequacy review
  - Evaluating design, operations, environmental monitoring, and contingency actions
  - Regularly interfacing with WM and other stakeholders to support review



# How we prioritize waste management: waste hierarchy



- Focus efforts at the top, where environmental benefits are most significant
- Working together to move waste “up the hierarchy”



# How can I help?

## Reduce, Reuse, Recycle!

- Reduce Waste
- Reuse materials
- Recycle, recycle, recycle
- Recycle organics, and compost food scraps, and other compostables



Thank You!

Questions?



## MLCAT: Pig's Eye Landfill

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# MLCAT – Pig's Eye Dump

**Largest unpermitted dump in Minnesota**

**Located within the Mississippi River floodplain**

## Operational History:

- **1956-1972**

8.3 million cubic yards of industrial, commercial, and municipal wastes disposed of on 230 acres

- **1977-1985**

Permitted MCES sewage sludge ash disposal on 31 acres

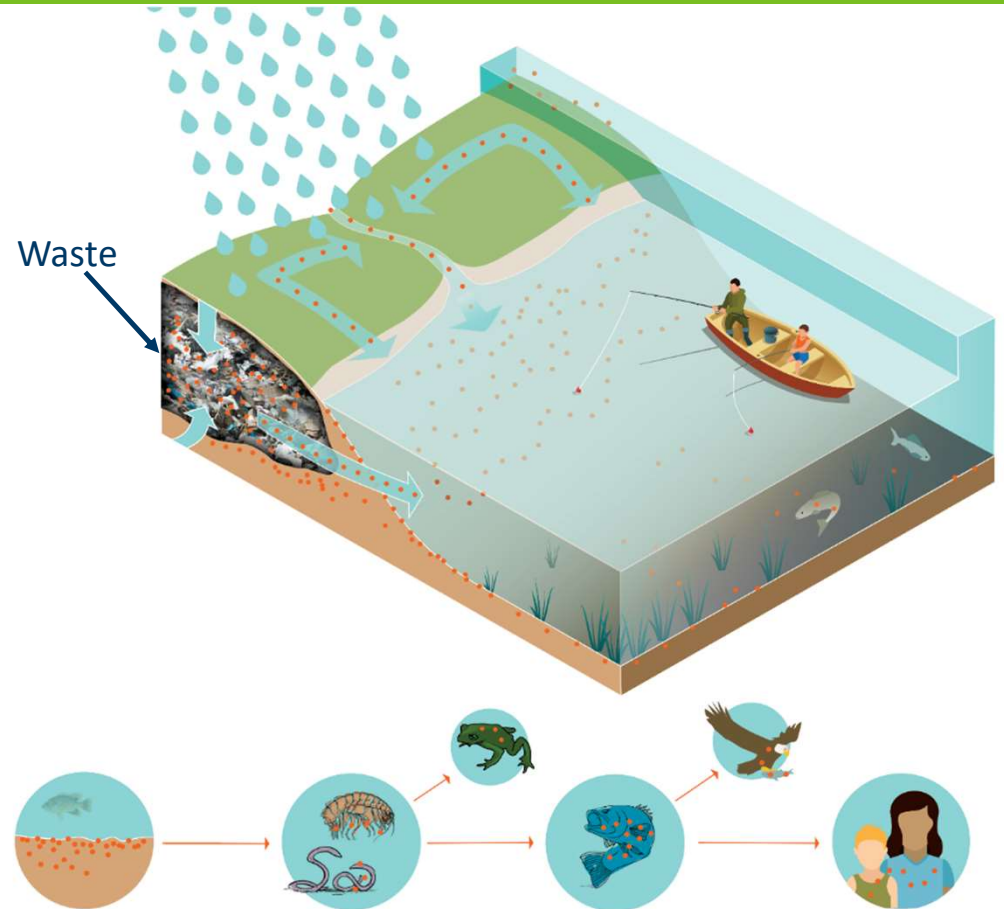
## Contaminants of Concern:

PFAS, metals, mercury, PCBs, VOCs, SVOCs, dioxans/furans, 1,4-dioxane\*

\*1,4-dioxane first sampled for and discovered in 2021



# MLCAT – Pig's Eye Dump



# MLCAT – Pig's Eye Dump

- **2000-2005: Initial cleanup work**

- Removal of drums of hazardous waste
- Cleanup of lead contaminated surface soil
- Installation of 2 feet soil cap on waste footprint
- Installation of select fill barrier in a section of waste/water interface along Battle Creek to adsorb contaminants

- **2006-present: Ongoing monitoring**

- Monitoring of soil, groundwater, surface water, sediment, and landfill gas

- **Next Steps: Remedy Evaluation**



# Evaluating Leachate Control Strategy

## **Previous approach to mitigate PFAS contamination to Battle Creek:**

- Permeable reactive barrier (PRB) that contaminated groundwater can move through
- PRB consists of an engineered soil “select fill” designed to adsorb contaminants
- Select fill must be designed/tested to capture the specific contaminated plume

# Evaluating Leachate Control Strategy

## **Additional investigations needed for evaluation, remedy selection, and design:**

- 2018-2020: Laboratory studies of different select fill formulations
- 2021: Design investigation data gaps; 1,4-dioxane sampled for first time and detected
- 2022- 2024:
  - Additional monitoring to fill data gaps, better understand water level changes, water interactions, and up gradient impacts
  - Update site models and evaluations to support best approach and remedy for long-term effectiveness
- 2025 and beyond: Design and implementation of selected remedy; long term monitoring



# Associated Total Costs

Closed construction and demolition landfills  
with mixed municipal waste

Landfill	FY22	FY23-27
Begin	\$105,000	\$600,000
Herbst & Sons	\$120,000	\$620,000
Rosemount	\$105,000	\$575,000
Vadnais Heights	\$130,000	\$660,000
Pigs Eye Dump	\$200,000	Approximately \$11M*
<b>Estimated Next Step Total Cost</b>	<b>\$660,000</b>	<b>\$13.5 M</b>

\*Estimated costs for future remedy implementation and continued maintenance will vary depending on selected remedy. Recent estimates for installation of a Permeable Reactive Barrier have been ~\$10M.

Thank You!

Questions?