



Olmsted County

Solid Waste Designation Plan

January 2011

County of Olmsted
Public Works Department
Solid Waste Division
2122 Campus Drive SE – Suite 200
Rochester, MN 55904
www.olmstedwaste.com

CHAPTER ONE
INTRODUCTION/BACKGROUND

1. State and Regional Policies and Authority for Designation

1.1. **Minnesota Waste Management Act Policies** - The Waste Management Act of 1980, as amended, Minnesota Statute Section 115A.01-115A.921 set forth policies, procedures, requirements and authorization regarding solid waste management and the designation of solid waste for delivery to resource recovery facilities. The state policies regarding overall solid waste management are set out in Minnesota Stat. Sec. 115A.02. This statute indicates the goal and policy of the state to improve waste management through:

- Reduction in the amount and toxicity of waste generated;
- Separation and recovery of materials and energy from waste;
- Reduction in indiscriminate dependence on disposal of waste;
- Coordination of solid waste management among political subdivisions; and
- Orderly and deliberate development and financial security of waste facilities including disposal facilities.

1.2. **Regional Solid Waste Management Policy** - In addition to state policy on solid waste management, Dodge and Olmsted Counties formed a Joint Powers Board in 1986 to manage mixed municipal solid waste and signed a Solid Waste Management Agreement (Agreement) for processing and disposal. In 2004, the Agreement was updated and extended to June 30, 2028. In 2009, specific sections of the Agreement were updated to reflect current operations between the Dodge-Olmsted solid waste management systems (Attachment 1).

Olmsted County and Dodge County each operate integrated solid waste management systems that provide solid waste services as directed by Minnesota statutes: Chapters 115A, 400, and 145. Both Counties have approved Solid Waste Management Plans providing for cooperation and participation in implementing landfill abatement programs which include processing waste at the Olmsted Waste-to-Energy Facility. Dodge County adopted a Designation Plan in February of 1985 along with a Designation Ordinance, as amended (Attachment 2).

1.3. **County Solid Waste Management Policy** - For over twenty years, it has consistently been the policy of the Olmsted County Board of Commissioners to provide capacity to handle all waste generated in Olmsted County within its boundaries to protect the

health and safety of its citizens, along with providing protection from environmental liability. Since the mid-1980's, the County has funded the system through an enterprise fund and invested in improving its waste facilities and programs.

Olmsted County has prepared a comprehensive Solid Waste Management Plan conforming to the legislative requirements of Minnesota Statutes 115.46. The Plan was prepared with the assistance of the County's Environmental Commission, adopted by the Olmsted County Board and approved by the Minnesota Pollution Control Agency. The adopted Plan establishes the following organizational goals for directing solid waste management:

Organizational Goals:

- Resource Conservation
 - Implement programs that support reduced dependence on land disposal
 - Utilize continuous improvement methods and new technologies
 - Conserve natural resources through waste prevention, recycling & energy recovery

- Economic Sustainability
 - Maintain adequate reserve funds for future growth and care
 - Maintain fee for service principles
 - Maintain waste assurance

- Compliance
 - Meet all applicable regulations to protect human health and the environment
 - Provide liability protection for our customers

- Customer Satisfaction
 - Meet the service needs of our customers
 - Build resource conservation awareness
 - Promote community participation

- Employees
 - Provide a safe and healthy workplace
 - Promote healthy lifestyles and encourage respect for the environment
 - Ensure that all employees have the awareness, skills & knowledge to support the Solid Waste Division mission
 - Employ a well-qualified and committed staff

- Suppliers and Contractors
 - Collaborate in a way that supports our mission and enhances our performance

Development of the integrated system began in 1986 and was designed to address and manage solid waste according to Minnesota's hierarchy of waste management programs that include waste reduction and reuse, recycling, composting, hazardous waste collection, waste-to-energy, and landfilling.

1.4 **Designation Authority**

Background

One of the actions counties are authorized to take in furthering land disposal abatement goals and policies is the designation of resource recovery facilities for required use. Under designation, counties may require by ordinance that waste generated within their boundaries be delivered to a resource recovery facility or a transfer station primarily serving such a facility. Olmsted County originally adopted a designation plan in 1985 which was approved by the State of Minnesota. Solid Waste Ordinance No. 4 requiring designation to the Olmsted Waste-to-Energy Facility was also adopted.

In 1994, the decision in C.A. Carbone, Inc. v. Clarkstown, 114 S.Ct. 1677 held that flow control ordinances were in violation of the dormant Commerce Clause. Olmsted County repealed its designation ordinance March 27, 1998. In 2007, in the case of *United Haulers Assoc. Inc. v. Oneida-Herkimer Solid Waste Management Authority*, 127 S.Ct. 1786 (2007), the U.S. Supreme Court ruled that ordinances designating waste to publicly owned and operated facilities are not in violation of the dormant Commerce Clause.

CHAPTER TWO
DESCRIPTION OF INTEGRATED SOLID WASTE MANAGEMENT
SYSTEM REQUIRING DESIGNATION

2. Existing Programs, Policies and Facilities

Olmsted County's current integrated solid waste management system is based on Minnesota's waste management hierarchy. The components complement each other and individually serve an important role in the total system. This makes the most beneficial use of each material, conserves resources, prevents pollution, and conserves landfill space.

- 2.1 **Waste Education** - Public education plays an important role in Olmsted County's strategy to achieve waste abatement goals. Public education has, and will continue to have, a prominent role in Olmsted County's Solid Waste Program. Through a multi-faceted approach that includes media campaigns, public presentations, tours, printed literature, a web site, and a telephone advice line Olmsted County will continue to promote the integrated solid waste management system and how to best utilize it.

Approximately 3,590 people tour Olmsted County's Solid Waste facilities each year in addition to numerous other presentations provided by staff. The "One Person's Trash" newsletter is sent to 31,750 households twice per year with program information and tips for reducing waste. A student newsletter, "Trash Talk," is also distributed to about 2,000 students each year. The Solid Waste Division website (olmstedwaste.com) provides another avenue for citizens to obtain information. The website receives about 62,760 hits per year. TV and radio ads are utilized as another venue to provide information. Having a public drop facility also provides an opportunity to educate generators on a one-to-one basis.

- 2.2 **Waste Reduction/Reuse** - The County provides incentives to encourage waste reduction through volume-based fees. By reducing the amount of waste produced, recycling, composting and utilizing the hazardous waste facility, citizens get the most for their money and can potentially reduce the amount they pay for disposal. The County intends to continue to be a positive example to local municipalities, businesses and residents by reducing waste generated from County sources and providing information and assistance to businesses and residents. The County encourages waste reduction and reuse through its educational outlets. Ongoing public education will continue to be provided to motivate businesses and citizens to reduce the amount of waste they produce and to support the Minnesota Materials Exchange and other waste reduction/reuse programs.

In 2009, a pamphlet on the integrated system and the Service Charge increase was sent to every household in Olmsted County. The pamphlet gave an overview of the integrated system and explained how reducing the amount of waste produced and utilizing the integrated system components could help citizens reduce the amount they pay for disposal (Attachment 3).

- 2.3 **Composting** – The County banned yard waste from MSW in 1989, and continues to operate a 6-acre staffed compost site for collection and processing of leaves and grass clippings. The end product has become a commodity. Due to the demand for finished compost, Olmsted County has moved away from free giveaway to a charging system. Each year approximately 2,100 tons of leaves and grass clippings are diverted to the Olmsted County Compost site. Dodge County also operates a compost site, diverting approximately 625 tons of leaves and grass clippings annually. The Olmsted County site also serves as a drop-off site for Christmas trees which are processed into mulch.

Home management of yard and kitchen waste is encouraged and information is available to residents through educational brochures and various articles. Olmsted County has sponsored one-day compost bin truckload sales as an incentive to expand home composting. For the past two years, roughly 1,000 home compost bins were sold each year. Manufacturer calculations indicate that over 500 pounds per container can be diverted annually by an average family resulting in approximately 2,500 tons composted per year combined. The County will continue to reduce organics in the waste stream through its promotion of back yard composting, composting site, and waste education.

- 2.4 **Hazardous Waste** – The Hazardous Waste program was set up with the primary responsibility of preventing hazardous material from entering the solid waste stream. A secondary responsibility was to help protect the environment (land, air and water). Robust and consistent hazardous waste management reduces the toxicity of the waste that goes to the disposal facilities. Olmsted County's hazardous waste program includes an educational component to raise awareness of proper disposal of household hazardous waste, problem materials, Very Small Quantity Generator's, waste pesticides, abandoned wastes, spills waste, sharps, heavy metal and mercury containing products.

The County operates and plans to continue operation of a permanent facility in Rochester. The County acts as the sponsoring County in the four-county regional household hazardous waste program that includes education, a product exchange, regional collection and processing facility, and a mobile collection unit. The other Counties in the regional program are Dodge, Wabasha and Goodhue Counties. Very Small Quantity Generators (VSQG's) and agricultural waste generators can also use the Hazardous Waste Facility for disposal. Table 2.1 shows the level of Olmsted County household participation in comparison to regional participation over time.

TABLE 2-1



2.5 **Recycling** – Olmsted County ordinance prohibits recyclable materials from mixed municipal solid waste by ordinance. Recycling removes glass, aluminum, steel, paper and other materials from the waste stream. Recycling provides a more beneficial use of the materials and removes items that reduce efficiency and through-put at the Olmsted Waste-to-Energy Facility. Olmsted County has adopted and endorses state-wide recycling goals and policies, and intends to continue to meet and exceed those goals.

Ferrous recovery to recover the metals from the OWEF ash is currently being evaluated. This would achieve two objectives. It would increase the amount of material recycled and reduce the amount landfilled.

Table 2-2 below shows actual tonnage of materials recycled annually in Dodge and Olmsted Counties. In Table 2-3 is a comparison of the volumes of materials that are recovered annually.

TABLE 2-2
Dodge and Olmsted Total Tons Recycled

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Tons Recycled	41,781	51,055	46,049	44,159	61,083	63,581	56,715	51,818	68,374	68,381

2.6 **Resource Recovery** –The Olmsted Waste-to-Energy Facility (OWEF) serves both Olmsted and Dodge Counties. Operation of the OWEF reduces the volume by 90% while producing steam and electricity. The energy produced heats and/or cools 26 buildings in Rochester. The County is in the process of expanding the district energy system to serve additional buildings on the Rochester Community and Technical College Campus. Energy not used by the district energy system is generated into electricity and sold on the local power grid. Waste is delivered to this facility by licensed commercial haulers, and self-haulers who meet the requirements for registration with tipping floor access.

Dodge and Olmsted Counties will soon have the capacity at the OWEF to process all MMSW generated within the two counties. The OWEF began operation of a 200 ton-per-day waste-to-energy facility in 1987. Operation of an additional 200 ton-per-day unit began in early 2010 bringing the total capacity of the facility to 400 tons per day.

2.7 **Landfill** – The County opened the Kalmar Landfill in 1990 to serve as a multi-purpose landfill consisting of cells for municipal solid waste (for waste that cannot be processed at OWEF), demolition, and ash. This landfill exhibits natural and engineered protective liners as well as a comprehensive groundwater monitoring system. The landfill will continue to be expanded as needed, however, in an area where the geology makes landfills difficult to site, conserving that resource is especially important. Future enhancements for the landfill program involve investigating leachate recirculation and ash utilization. Olmsted County’s objective of processing 90% of the total MSW generated and support of programs that reduce dependence on land disposal reflects Olmsted County’s commitment to the State’s Solid Waste hierarchy.

2.8 **Financial Security** - A long-standing policy of Olmsted County and the Solid Waste Management division is economic sustainability by maintaining fee-for-services principles. For over twenty years, Olmsted County Solid Waste has operated an enterprise fund to finance operations and maintain adequate reserve funds for future growth and care. Since the Olmsted County system is a user-fee system that uses no property tax money the County may, without the ability to exercise flow control of the waste stream, have to heavily subsidize many of its programs or close facilities.

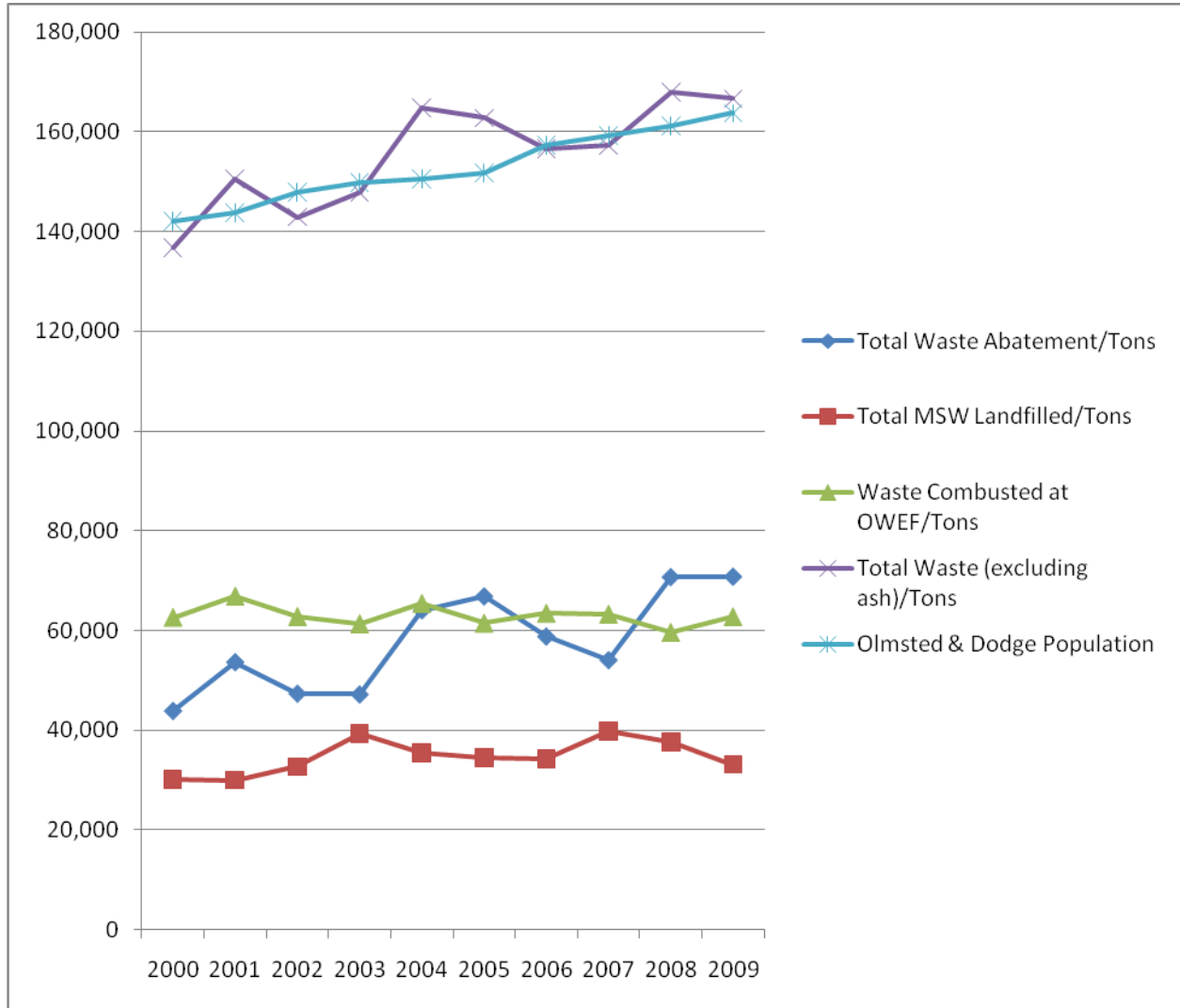
2.9 **Acceptable Waste Delivery Agreements** – Mixed municipal solid waste collection in Olmsted County is currently provided primarily by private Licensed Commercial Haulers. In 2006, twelve haulers signed Acceptable Waste Delivery Agreements and have agreed to bring waste generated in Olmsted County to Olmsted County facilities until 2022. In 2009, one Licensed Commercial Hauler purchased another and the number of licenses was reduced to eleven.

2.10 **Self-Hauled Waste** – The County currently has little control over the disposition of solid waste collected by self-haulers. Self-haulers are defined as anyone who does not have services provided by a licensed commercial hauler. Instead, self-haulers transport their own solid waste. The County owns and operates the Olmsted County Recycling Center Plus for generators that want to haul their own garbage and recyclables. Recyclables can be dropped off free of charge and customers are charged according to volume for MSW. This provides a one-stop service for generators.

In accordance with the Solid Waste Ordinance, a self-hauler shall not provide collection and transportation services to someone else for compensation. A licensed commercial hauler with two or less customers shall be considered a self-hauler only for the purposes related to the County's Service Charge. Neither the County nor a commercial hauler with three or more customers shall be considered a self-hauler. It is estimated that between 6,100 and 9,600 tons of waste generated in Olmsted County is self-hauled, burned, or buried each year.

2.11 **Waste Quantities** – Table 2-3 shows the population trends and identifies the annual waste quantities received at the Olmsted County facilities and reported recycling quantities for Dodge and Olmsted Counties.

**TABLE 2-3
WASTE TRENDS FOR DODGE AND OLMSTED COUNTIES**



Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Total Waste Abatement/Tons	43,942	53,679	47,391	47,231	64,029	66,812	58,793	54,086	70,671	70,750
Total MSW Landfilled/Tons	30,200	30,011	32,704	39,273	35,445	34,444	34,291	39,867	37,661	33,141
Waste Combusted at OWEF/Tons	62,643	66,814	62,816	61,397	65,384	61,505	63,461	63,271	59,680	62,768
Total Waste (excluding ash)/Tons	136,785	150,504	142,911	147,901	164,858	162,761	156,545	157,224	168,012	166,659
Olmsted & Dodge Population	142,008	143,731	147,935	149,831	150,542	151,716	157,291	159,299	161,111	163,734

Waste Abatement quantities include recycling, composting and hazardous waste collected in Dodge and Olmsted Counties

CHAPTER THREE
DESIGNATION PROPOSAL

3. Introduction

In order to serve and promote the various state, regional and local solid waste management policies and objectives discussed in Chapter One of this plan, the County intends to designate all solid waste generated within its boundaries for delivery to Olmsted County Facilities designated as points of delivery in this plan.

- 3.1. **Goals** - Achieving the goals, implementing the State/County policies, and executing the programs described in Chapters One and Two requires designation of all solid waste. Olmsted County needs waste designation to maintain its fee-for-service solid waste management system and provide a system that is financially feasible and fair so that all generators pay the same user fees based on the amount generated.

The goals of landfill abatement, energy recovery, materials recovery, coordination of solid waste management among governmental bodies, orderly development of waste facilities and financial security of waste facilities cannot be reasonably achieved without assuring the consistent/uniform management of solid waste.

The County seeks to achieve these goals with the minimum amount of burden or disruption on existing waste collection and resource recovery (recycling, composting, etc.) operations. The County intends to continue to minimize landfill disposal. Designation of the waste will enable the County to continue to operate its solid waste programs, and be able to pay for them.

- 3.2. **Waste Subject to Designation** - Designation will apply to residential, commercial or industrial sources which are not excluded or exempt under designation.

The designation will apply to the following wastes:

- 1) mixed municipal solid waste; and
- 2) other solid waste that prior to final processing or disposal:
 - a. Is not managed as a separate waste stream; or
 - b. Is managed as a separate waste stream using a waste management practice that is ranked lower on the list of waste management practices in Minnesota Statutes Section 115A.02 paragraph (b), than the primary waste management practice that would be used on the waste at the designated facility.

Certain wastes will not be covered by the designation due to their incompatibility with the facilities processing the waste. Such waste will include hazardous waste, demolition debris, large metal or wood items such as appliances, cars, tree trunks and stumps, liquids or sludges and other waste indicated as such on the Unacceptable Waste, Problem Materials and Special Wastes fact sheet (Attachment 4).

- 3.3. **Materials Not Subject to Designation** - The Waste Management Act directs counties to implement landfill abatement programs, according to the waste management hierarchy. The Act identifies recycling of material as preferred over resource recovery. The Act indicates that materials recycled are exempt from the waste designation authorities of Counties.

Designation will not apply to or include:

- 1) Materials that are separated from solid waste and recovered for reuse in their original form or for use in manufacturing processes; for the purposes of this section, “manufacturing processes” do not include the treatment of waste after collection for the purpose of composting.
- 2) Materials that are processed at a resource recovery facility at the capacity in operation at the time that the designation plan is approved by the commissioner. “Resource Recovery Facility” is defined in Minnesota Statute 115A.03, subd. 28 as a waste facility established and used primarily for resource recovery, including related and appurtenant facilities, such as transmission facilities and transfer stations primarily serving the resource recovery facility. At the time of the adoption of this Designation Plan, there are no existing resource recovery facilities receiving waste that will be designated.
- 3) Materials that are separated at a permitted transfer station located within the boundaries of the designating authority for the purpose of recycling the materials if:
 - a) The transfer station was in operation on January 1, 1991; or
 - b) The materials were not being separated for recycling at the designated facility at the time the transfer station began separation of the materials.
- 4) Recyclable materials that are being recycled, and residuals from the recycling if there is at least an 85 percent volume reduction in the solid waste processed at the recycling facility and the residuals are managed as separate waste streams.

- 5) Mixed municipal solid waste that is delivered to Olmsted County Facilities pursuant to the Acceptable Waste Delivery Agreements between licensed commercial haulers and the County that are currently in effect for the term of the Agreements, and any mutually agreed upon renewals of any such Agreements.
- 6) This Designation Plan recognizes that the Mayo Foundation has established a fully integrated and self-sustaining solid waste management system for the collection, processing and disposal of its Solid Waste which supports the objectives of the Olmsted County Solid Waste Management Plan. Nothing in this Designation Plan is designed to restrict the Mayo Foundation from taking their mixed municipal solid waste and infectious waste to the Mayo Medical Waste Incinerator as long as this facility operates in accordance with Minnesota State, Olmsted County, and municipal or township laws, rules and regulations.

3.4. The County's intent, as consistent with the policy of the Waste Management Act, is to ensure that resource recovery facilities are developed in an orderly and deliberate fashion. This will assure that waste generation and capacity are matched. By this Designation Plan, Olmsted County adopts the policy direction that future public or private resource recovery facilities requiring an assured waste supply should consult with the County concerning amendments to this Designation Plan. The County adopts this policy direction for several reasons including:

- Potential changes in future waste generation in Olmsted County; and,
- The real impacts of relatively small new resource recovery facilities have on the total waste volume.

Following the implementation of the Designation Plan, the policy of Olmsted County will be to evaluate future requests for exclusion relative to the identified impact on the Olmsted County Waste-to-Energy Facility. Every appropriate opportunity will be given to new facilities to assist the County in managing solid waste. The major constraining factor will be impact to the existing Olmsted County Waste-to-Energy Facility.

3.5. **Projected Waste Generation** - Table 3-2 shows the projected waste quantities for Dodge and Olmsted Counties through 2030. Total waste disposed at Olmsted County facilities from Dodge and Olmsted Counties in 2009 was 93,535 tons. This total volume is projected to rise to 127,951 tons in 2030. These calculations were based on historical trends from Dodge and Olmsted Counties. Olmsted County monitors the waste generation rate and fluxuations in per capita generation.

**TABLE 3-2
PROJECTED WASTE ESTIMATES FOR DODGE & OLMSTED COUNTIES**

Source	2010 Estimate	2015 Estimate	2020 Estimate	2025 Estimate	2030 Estimate
Dodge County	8,500	9,157	9,865	10,627	11,448
Olmsted County	82,211	88,565	95,409	102,783	110,726
Self-haul to OCRC	3,289	3,543	3,817	4,112	4,430
Out of County	1,000	1,077	1,161	1,250	1,347
TOTAL	95,000	102,342	110,251	118,772	127,951
Est. Combustible Portion	86,450	93,131	100,329	108,083	116,436
Est. Noncombustible	8,550	9,211	9,923	10,689	11,516

3.6. **Role of Solid Waste Designation** - Olmsted and Dodge County constituents have made a considerable investment in the Olmsted County Integrated Solid Waste Management System. Designation will assure that waste stays within the integrated solid waste management system and does not compromise the financing and efficient operation of the system. Designation provides a fair platform for all generators in the Olmsted/Dodge County system. Without an adequate, long-term, assured supply of waste, the integrated system could not be financially supported. Olmsted County's integrated solid waste management system demands higher operating costs than surrounding landfill disposal facilities. Therefore designation is necessary to prevent economic pressures from dictating the indiscriminant dependence on out of county landfills.

3.7. **Service Areas** - Olmsted County is joined with Dodge County by a Solid Waste Management Agreement that requires Olmsted County to provide waste processing capacity and to accept and process at least 82 percent of Dodge County's processible waste on an annual basis.

Dodge County has developed a Designation Plan and has adopted a Designation Ordinance to assure that waste generated in Dodge County is delivered to Olmsted County facilities.

3.8. **Geographic Area Subject to Designation** - This designation plan applies to all generated waste in Olmsted County that is not exempt or excluded. This designation includes residential, commercial, and industrial waste generated and normally collected by

commercial haulers or self-hauled that is suitable for disposal at Olmsted County facilities. Attachment 5 identifies the designated area.

- 3.9. **Designated Points of Delivery** - The delivery point will be determined by type of waste, delivery vehicle, and other factors including compliance with the Unacceptable Waste, Problem Materials and Special Wastes fact sheet (Attachment 4) and OWEF tipping floor policy (Attachment 6).

The designated points of delivery are as follows, or as set by resolution of the Olmsted County Board:

1. Olmsted Waste-to-Energy Facility
301 Silver Creek Road NE
Rochester, Minnesota
2. Olmsted County Kalmar Landfill
7401 19th Street NW
Rochester, Minnesota
3. Olmsted County Recycling Center Plus
305 Silver Creek Road NE
Rochester, Minnesota

The type of waste, vehicle used to transport the waste, insurance and other requirements are used to determine which Facility designated waste should be delivered to.

- 3.10. **County Waste Management Fund** - As identified in the Olmsted County Solid Waste Management Plan, an integrated solid waste management system is established for the entire county. Understanding that the various landfill abatement programs may not totally pay for themselves, the County has developed and utilizes a Waste Management Fund, which is an enterprise fund. The purpose of the fund is to ensure that the various components of the waste stream are managed as closely as possible with state policy, which gives a priority to recycling and composting. The Waste Management Fund is a sustainable enterprise fund that covers all costs.

This integrated system results, in part, from the State of Minnesota's waste management policy. The integrated system has programs for waste reduction, recycling, composting, hazardous waste, resource recovery, and landfilling (as a last resort). These programs are workable, sustainable and consistent with the overall waste management strategy for the County. The Waste Management Fund enables the

County to pool revenues from all waste management activities and allocate revenues to landfill abatement programs consistent with the County's plan.

Revenues into the fund come primarily from Tipping Fees and the Olmsted County Environmental Service Charge (Service Charge), steam and electricity sales, recycling sales, self-haul fees, and landfill fees. These revenues are allocated back into solid waste management and landfill abatement programs as established by the County Solid Waste Management Plan. No property tax money is used to fund the County solid waste programs. Designation assures that all generators pay the entire cost for proper waste management of the waste they generate.

By maintaining an integrated solid waste management system to serve the entire county, and designating all waste to be delivered to the Olmsted County waste disposal facilities, the County can impose fair and equitable waste management and disposal charges to all generators in the county whether they hire a hauler or not.

CHAPTER FOUR EVALUATION OF BENEFITS AND COSTS

4. General

There are a variety of costs, benefits, risks, short/long term effects and other factors which are relevant to different types of solid waste facilities and methods of solid waste management. This portion of the plan will evaluate and discuss estimated costs, and benefits associated with the Olmsted Waste-to-Energy facility (OWEF). The public policies and purposes served by the facility and designation will also be discussed.

Costs set out for the facility are estimates based on current information available and assumptions which can be made at this time. Many factors can influence costs such as: method of financing, interest rates, term of financing, energy prices and costs, inflation, economic conditions, energy market, contractual terms, and regulatory changes. Therefore, the costs estimated herein can vary according to changing assumptions and conditions.

- 4.1 **Public Policies and Purposes Served by Designation** - The state and local public policies and purposes pertinent to solid waste and resource recovery were described in Chapter One. The integrated waste management system described in this Plan is consistent with and furthers these policies and purposes. All of the state purposes set out in Minn. Stat. Sec. 115A.02 are furthered by the Olmsted County system described in this plan.

The public purposes achieved by improved solid waste management and implementing landfill abatement programs include:

4.1.1 **Recovery of Energy** - Recovery of energy from solid waste is a state, regional, and local policy goal which is greatly furthered by the Olmsted Waste-to-Energy Facility (OWEF). The County's target is to process 90 percent of the waste stream, or all of the processible waste, with the remaining 10 percent being bulky waste or waste that is too large or otherwise unacceptable at the OWEF.

The OWEF is a cogeneration facility which produces both steam and electricity. Cogeneration results in more efficient utilization of energy input due to the generation of electricity from high temperature, high pressure steam, and use of the lower pressure, lower temperature steam extracted from the electrical turbine. Cogeneration can result in a wide range of combinations of electrical and steam production depending on steam prices, electricity prices, steam demands and electrical demands.

The design capacity of the facility is 400 tons per day (TPD). Throughput varies based on daily generation and facility maintenance. The waste shed is made up of all of Olmsted

and Dodge Counties. Of the total waste shed, Olmsted County provides approximately 92 percent of the solid waste to the OWEF.

Olmsted County has sufficient staff, resources and capacity to process approximately 120,000 tons per year, and has markets in place to utilize the steam and electricity produced by the facility.

4.1.2 Recovery of Materials - The integrated solid waste management system results in the recovery of substantial quantities of materials from the waste stream which would otherwise be disposed of in a landfill. Materials are recovered through recycling and composting programs and additional materials (ferrous) may be recovered from the OWEF ash in the future. Olmsted County prohibits recyclable materials from mixed municipal solid waste by ordinance.

Residential generators must ensure the segregation and delivery of at a minimum, newsprint, glass containers, corrugated cardboard, aluminum cans and aluminum scrap to a recycling center, either by self-hauling or by contracting with a licensed commercial hauler. Commercial site owners must provide central collection locations for recyclable materials generated on its premises for the same materials as residential generators plus mixed paper in accordance with County Ordinances. The County operates a recycling center for drop off of recyclable materials free of charge.

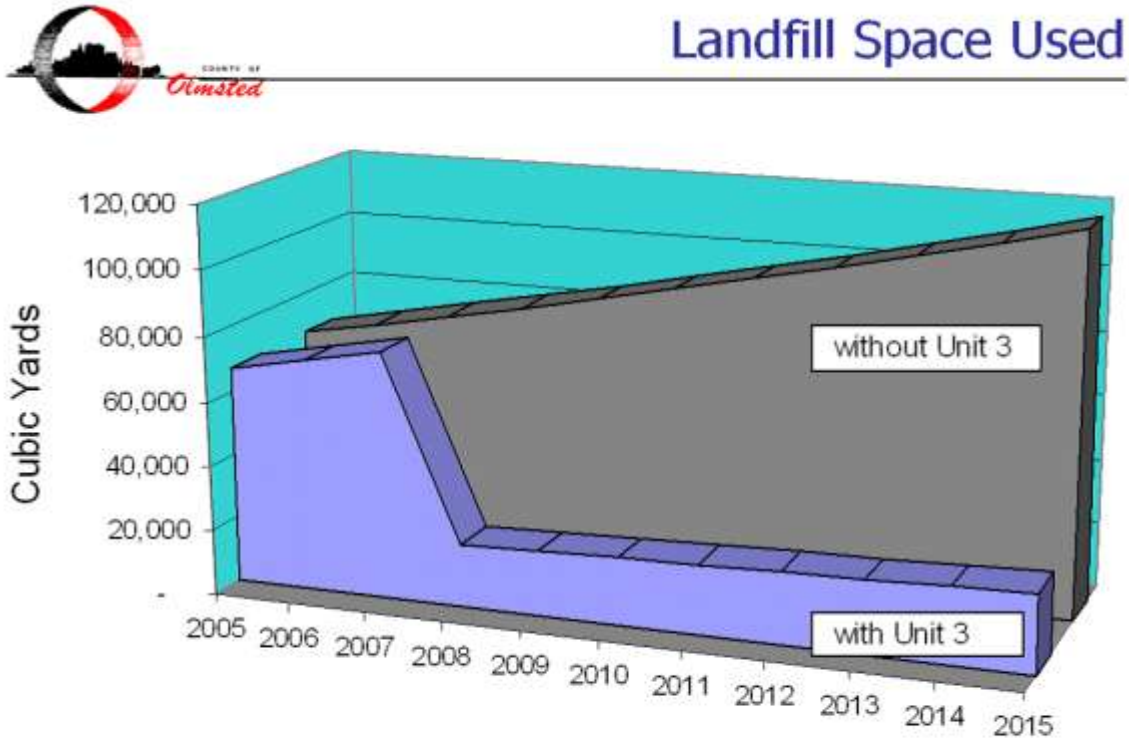
4.1.3 Reduction in Waste Generation - A reduction in waste generated is a state, regional and local policy that will be indirectly furthered by the proposed designation. Requiring generators of solid waste, to pay the full costs of proper disposal of waste in an environmentally sound manner is the best way to influence waste reduction habits. Paying the full cost of an integrated solid waste management system provides an economic incentive to reduce the amount of waste generated through a desire to reduce costs. Through the waste abatement programs of recycling, composting and proper hazardous waste management, waste generators can reduce the amount paid in disposal fees. Additionally, Olmsted County has implemented a public education program that promotes waste reduction in addition to other messages about proper solid waste management.

4.1.4 Abatement of Land Disposal - Reducing the need for and practice of land disposal is a primary state, regional, and local policy. Implementation of landfill abatement is greatly furthered by designation of waste to the Olmsted Waste-to-Energy Facility. By processing waste at the OWEF, the volume is reduced by 90%. Olmsted County can thereby support various other components of the integrated solid waste management system each reducing the quantity of waste requiring disposal in a landfill.

Olmsted County has made a considerable investment in solid waste management in accordance with the State's hierarchy with the Olmsted Waste-to-Energy Facility and the addition of the 3rd combustion unit. Figure 4-1 shows the amount of air space that

would be required if Unit 3 had not been built, and also illustrates the volume reduction in landfill air space required if waste-to-energy is utilized instead of a landfill.

FIGURE 4-1



4.2 **Environmental Impact** - Prior to construction of the 3rd Unit at the Olmsted Waste-to-Energy Facility, a study (New Source Performance Standards (NSPS) Subpart AAAA: Final Siting Analysis) was conducted to evaluate the environmental impacts of the proposed expansion on air quality, visibility, soils, vegetation, and other relevant factors. As part of this study, a "no build" alternative was evaluated using the Kalmar Landfill as the disposal option. The results conclude that particulate, greenhouse gas, and mercury emissions would be higher without the construction of the 3rd unit. The no-build alternative also concluded that there would be a significant negative traffic and energy consumption impact without the construction of the 3rd Unit. The Kalmar Landfill is located in Olmsted County and would therefore have less transportation impact than any out-of-county disposal facility. The no-build alternative would also have resulted in lost base-load renewable energy, and the consequential increased use of conventional fuels. A summary of the study findings is shown in the "Summary of Effects of Build vs. No-Build Alternatives" table.

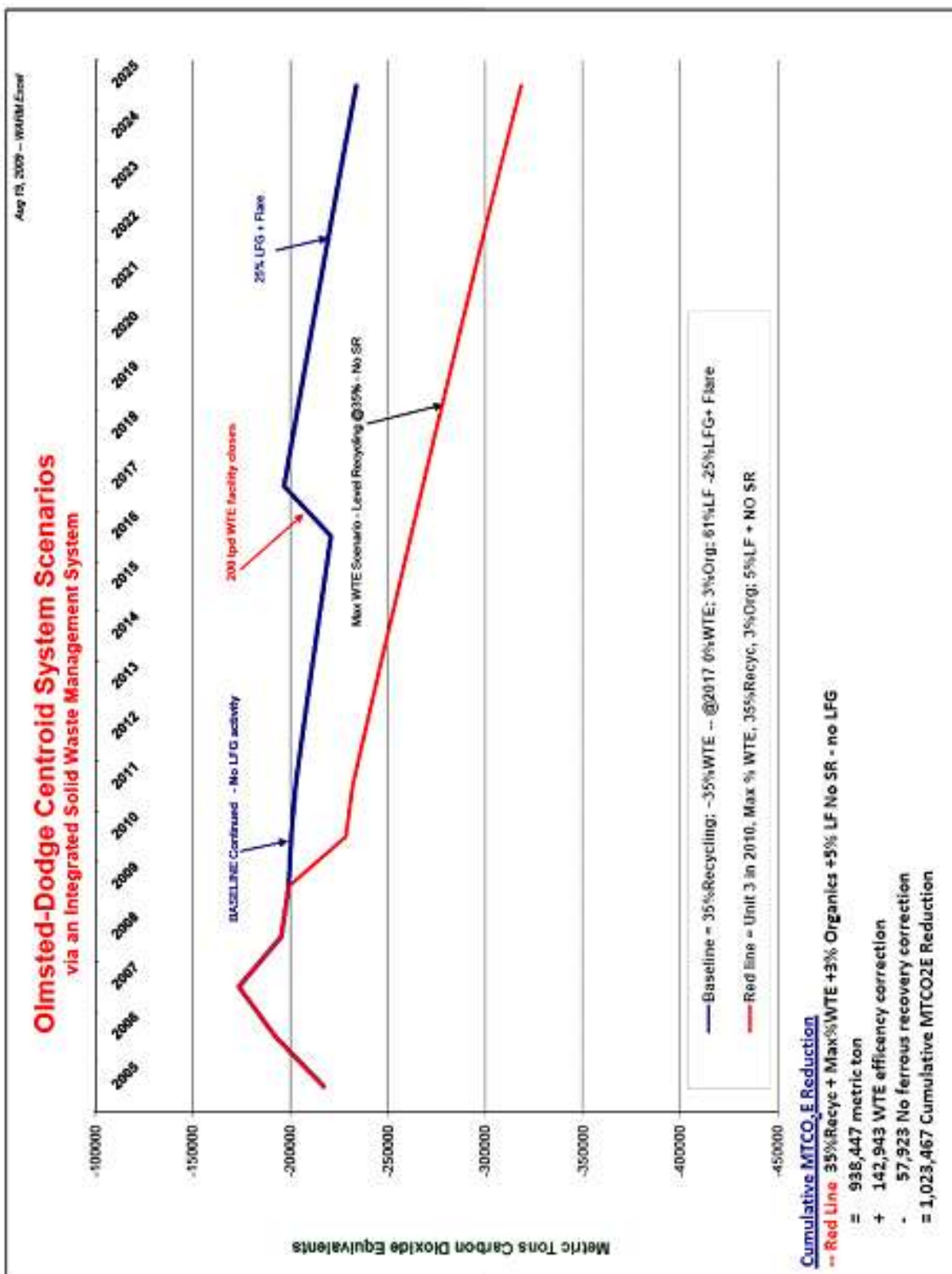
Summary of Effects of Build vs. No-Build Alternatives

Parameter	Summary of Impacts in Build Alternative	Summary of Impacts in No-Build Alternative
<u>Transportation</u> Hauling Impacts	Less miles traveled overall. On average, waste is processed nearer to point of generation.	More miles traveled overall. More emissions on area roads to travel to more distant disposal point.
	Fuel Impacts	Less miles traveled means less fuel expended on waste disposal
<u>Landfill Gas Emissions</u>		
Greenhouse Gases (GHG)	Waste-to-Energy model has lower GHG impacts than landfilling, partly due to cogeneration aspects	No cogeneration opportunity means 5MW baseload power must be generated with fossil fuels; commensurate GHG impacts.
Non-Methane Organic Compounds (NMOCs)	NMOCs are proportional to tons waste landfilled. Less landfilling means less NMOC emissions.	Greater landfilling rates in No-Build alternative will mean greater overall NMOC emissions.
Mercury (Hg)	Strict Hg control requirements on existing/new MWCs. Also, OWEF Hg performance has been historically well below regulatory limits.	In solid waste processing, transfer/dumping operations are a significant source of mercury. There is no capture of such emissions at the working face of a landfill.
<u>Leachate Generation</u>	Build alternative results in lowest net leachate rate for study period	No-Build alternative will also result in higher toxicity per unit leachate volume generated
<u>Cogeneration Opportunities</u>	Opportunity for 5MW renewable energy + district heating/cooling is realized. Conservation of conventional fuels. Unit 3 project reflects state energy objectives.	Lost baseload electric generation must be made up with other baseload sources (e.g., coal, gas). Also, increased gas/electric usage for building heating/cooling customers that cannot be served without capacity offered by Unit 3.

The New Source Performance Standards (NSPS) Subpart AAAA: Final Siting Analysis was limited to evaluating the impact of OWEF expansion; however, should landfilling be used as an alternate to the OWEF the impacts would be multiplied.

4.2.1 Reduction in Greenhouse Gases - Utilizing waste-to-energy technology also reduces the amount of greenhouse gas produced in comparison to waste landfilled. Figure 4-2 was prepared using the Environmental Protection Agency (EPA) Waste Abatement Recycling Model (WARM) to calculate greenhouse gas production of a system similar to Olmsted County's with only a 35% recycling rate (Olmsted County's recycling rate averages about 46%). The table shows the impact of the existing system with the addition of the 3rd Unit. Greenhouse gas production would increase if the Waste-to-Energy Facility ceased operation.

FIGURE 4-2



4.2.2 Coordination of Solid Waste Management Among Political Subdivisions - The coordination of solid waste management among political subdivisions is a policy clearly promoted by the planned designation and through the Dodge-Olmsted Joint Powers Board Agreement and the Dodge-Olmsted Solid Waste Management Agreement. Dodge County has an approved Designation Plan and has adopted a Designation Ordinance designating that waste generated in Dodge County is brought to the Dodge County Transfer Station for transport to the Olmsted Waste-to-Energy Facility.

4.2.3 Orderly and Deliberate Development and Financial Security of Waste Facilities - The financial security of the integrated solid waste management system and the Olmsted Waste-to-Energy Facility is a crucial element in an effective solid waste management system. One of the most critical elements of both system reliability and financial security is an assured long-term flow of waste to the Facilities. Currently the Acceptable Waste Delivery Agreements provide waste assurance for the waste collected by licensed commercial haulers. Designation will provide assurance that waste that is hauled by other businesses and residents will also be delivered to Olmsted County Facilities. A secure supply can only be reliably achieved through the designation process. This policy assures that the generator pays the full cost of the integrated system (including landfill abatement programs), whether they hire a hauler or not.

It is in the public interest of County citizens to assure all designated waste is delivered to Olmsted County waste disposal facilities to pay for the investment in the integrated solid waste management system. Designation will require delivery to Olmsted County waste disposal facilities and disposal fees are equal for both licensed commercial haulers and self haulers.

It will secure an estimated 5,000-10,000 tons per year of self-hauled/burned/buried wastes in addition to the 80,000+ tons of waste currently hauled by licensed commercial haulers. When the Acceptable Waste Delivery Agreements expire, designation will require licensed commercial haulers to deliver designated wastes to Olmsted County waste disposal facilities. The County relieves generators of title to their non-hazardous mixed municipal solid waste (MMSW) disposed at Olmsted County facilities, thus offering citizens an opportunity to reduce or otherwise manage the risk of potential long-term financial and environmental liability associated with the non-hazardous MMSW they produce.

Development and operation of landfill abatement programs are associated with varying degrees of risk, depending on the specific alternative implemented. Facilities and programs that manage greater amounts of waste generally carry greater risk because of the associated capital costs. Because of these relatively high capital costs and the nature of bonding for local governments, all risks should be minimized. Waste assurance through designation of solid waste effectively removes one of the primary risks associated with projects of this nature. In the absence of an assured waste supply, risk is increased. The risk to the project is increased as it may affect the project

revenues – Tipping Fees and energy sales. Further, depending on the specific contract, penalties may be imposed by the market for failure to deliver energy if insufficient fuel is available.

As indicated in this Designation Plan, one of the purposes of designation is to minimize program risk associated with waste supplies. Program risk can be expressed as a function of current debt of the Facility and contractual obligations to deliver energy. Waste generated must be assured proportional to the extent of either obligation (capital debt service or delivery requirements).

Designation or an assured waste supply will be required to the extent there is debt obligation on the Facility or contracts which penalize for failure to deliver energy. The on-going need for designation will be assessed periodically as required by Statute. Olmsted County may need designation until unprocessed waste is banned from landfills or becomes priced higher than OWEF.

4.3 Estimated Revenues and Expenses - A wide range of factors influence the integrated solid waste management system costs and not all factors can be predicted accurately. The estimates in “Estimated Expense Summary” table are based on available information and reasonable assumptions as to the circumstances that may exist which affect facility costs. These costs are paid for by the Waste Management Fund.

Estimated Expense Summary

	Budget 2010	Est Budget 2015	Est Budget 2020	Est Budget 2025	Est Budget 2030
Salaries and benefits	5,067,863	6,781,944	9,075,771	12,145,429	16,253,323
Services, Supplies, Repairs & Maintenance	4,551,042	6,091,894	6,892,419	7,798,140	8,822,879
Capital outlay	1,184,000	906,144	1,205,803	1,298,551	1,403,487
Debt Service	7,197,993	7,745,169	7,683,881	7,124,554	333,000
Miscellaneous Operating Expenses	2,497,477	3,039,513	3,643,596	4,467,266	5,615,349
Total Expenses	20,498,374	24,564,663	28,501,470	32,833,939	32,428,038

As shown in the “Revenue Sources” table, the primary sources of revenue for the Waste Management Fund are Tipping Fees and utility sales.

Revenue Sources

	Budget 2010	Est Budget 2015	Est Budget 2020	Est Budget 2025	Est Budget 2030	AVERAGE
Other fees/Interest	11%	11%	11%	10%	12%	11%
SCORE/State Grants	2%	2%	1%	1%	1%	1%
Landfill Fees	1%	1%	1%	1%	2%	1%
Utility Sales	23%	26%	26%	26%	30%	26%
Tipping Fee/Service Charge	63%	60%	61%	62%	55%	61%
	100%	100%	100%	100%	100%	100%

Without assurance of the delivery of the remaining MMSW after abatement programs, revenues could drop significantly resulting in additional costs for natural gas to provide steam and electric customers.

4.3.1 Disposal Costs - Landfill disposal costs are included for purposes of comparison with other waste management methods. The current fees for waste disposal in Olmsted County are listed below.

Solid Waste Fees and Service Charges (Required State taxes and/or fees will be added to these County fees.):

A. Self-Haulers (Olmsted County Recycling Center only)

Small volume (Up to 30 gallons), including taxes \$ 5.00/each

Medium volume (31 gallons up to 60 gallons), including taxes \$ 8.00/each

Large volume (61 gallons up to 90 gallons), including taxes \$12.00/each

Bulk volume by cubic yard, including taxes \$20.00/cu.yd

B. Commercial Haulers and *Approved Self-Haulers

Tipping Fee - In county waste \$83.00/ton

Tipping Fee - ***Approved** out of county waste \$118.00/ton

C. Service Charges Collected by Commercial Haulers and *Approved Self-Haulers

Service Charge on Gross Receipts for Hauler Services 17% of Gross Receipts

Service Charge for Self-Haulers \$35.00/ton

Designation of the waste in addition to the Acceptable Waste Delivery Agreements will enable the County to continue resource recovery and the other solid waste management facilities and programs that greatly reduce dependence on land disposal

facilities. Without this means of controlling the disposition of solid waste, the practice of landfilling waste would increase with little opportunity for significant landfill abatement, and would also expose the County to potential environmental liability.

4.3.2 Enforcement - Historically, rural residents have disposed of waste on their own land or burned it in burning barrels and have not contracted for waste collection and disposal services. While this practice is changing, some residents and potentially rural businesses still dispose of waste improperly. An enforcement issue will arise because designation will apply to all waste generators regardless of who transports the waste. Assurance will also be provided under designation in the event of default or other circumstances that the Acceptable Waste Delivery Agreements no longer exist.

Olmsted County has on staff a Solid Waste External Auditor and a Solid Waste Assurance Officer to enforce the requirements of the Acceptable Waste Delivery Agreements. The costs associated with these positions are paid for through the Waste Management Fund utilizing the existing fees. The County will minimize the costs of designation by public education programs designed to prevent violations by haulers and by waste generators. The Solid Waste Assurance Officer will also enforce the Designation Ordinance.

4.4 Equalized Waste Disposal Costs to Generators - Disposal costs are comprised of two parts: a Tipping Fee charged to the licensed commercial haulers at the facility gate and the Olmsted County Environmental Service Charge (Service Charge). The Service Charge is billed and collected by all licensed commercial haulers and remitted to Olmsted County monthly. All disposal costs are included in charges for waste brought by self-haulers to any of the facilities. No property tax dollars are used to fund the Solid Waste programs.

Recyclable and compostable materials are handled through a separate collection and delivery system and are not subject to the Tipping Fee, at this time. The County maintains an enterprise fund using revenue from energy sales and the Tipping Fees and the Service Charge to provide a source of revenue for paying for the net costs of the entire system including recycling, hazardous waste management, composting and waste abatement activities.

4.5 Competition - All current Licensed Commercial Haulers have signed an Acceptable Waste Delivery Agreement requiring the waste collected be delivered to Olmsted County Facilities. Self-haulers, and/or businesses who haul waste out of county would have an unfair economic advantage. An economic incentive exists for self-haulers to avoid designation and deliver waste directly to surrounding landfills as shown in the "Market Price Calculation" table.

Market Price Calculation

Locations of MSW Disposal, Transfer & Processing	Tipping Fee per ton (1)	Miles per Round-Trip (2)	Cost per Mile (3)	Transport Cost per Trip	Transport Cost per Ton (4)	Total Market Price/Ton
WMI Transfer Station, Austin	\$66.00	83	\$3.00	\$249.00	\$12.45	\$78.45
WMI Landfill, Lake Mills	\$31.40	186	\$3.00	\$558.00	\$27.90	\$59.30
Steele Co Landfill, Bixby	\$39.50	98	\$3.00	\$294.00	\$14.70	\$54.20
Ponderosa Landfill, Mankato	\$45.00	164	\$3.00	\$492.00	\$24.60	\$69.60
MWPC, Mankato	\$82.62	181	\$3.00	\$543.00	\$27.15	\$109.77
Miller Transfer Station, Winona	\$100.00	92	\$3.00	\$276.00	\$13.80	\$113.80
Red Wing WTE, Red Wing	\$58.00	106	\$3.00	\$318.00	\$15.90	\$73.90
PIG Transfer Station, Diamond Bluff	\$60.00	124	\$3.00	\$372.00	\$18.60	\$78.60
Waseca Co. TS, Waseca	\$57.27	181	\$3.00	\$543.00	\$27.15	\$84.42
Rice Co Landfill, Dundus	\$51.33	131	\$3.00	\$393.00	\$19.65	\$70.98
WMI Pine Bend LF, Rosemont	\$44.00	143	\$3.00	\$429.00	\$21.45	\$65.45

1. Obtained by Dodge County from survey of County SW Administrators, MPCA Staff, and Facility Operators.
Note: Lake Mills LF fee calculated by subtracting transport cost from Fillmore Co. contract (\$57.43/ton)
2. Miles estimated from center of Olmsted County using www.maps.google.com
3. Cost estimate from Dodge County and Daniel Duffy: "From TS to MRF", MSW Mgmt, March/April 2009
4. Transport cost is total trucking cost per round trip divided by 20 tons per trip
5. Total Market Price is sum of Tipping Fee and transport cost

Over the long-term, the effects of designation should be beneficial to all generators because the facilities offer a secure, long-term disposal at the same price for all generators.

4.6 Necessity of Designation for Financial Support of System - Designation of the integrated solid waste management system is a crucial element for continuation of the Olmsted County system. It provides the necessary assurance and security of a sufficient waste supply for facility financing. A secure waste supply is necessary for the ongoing operation of the system.

Other waste assurance approaches involve reliance on numerous factors which are not always subject to County control or involve extended periods of time to remedy. Without the assurance and reliability that designation supplies, the Waste-to-Energy Facility may not be able to be financed, or financing the Facility would require the County to assume substantial risks.

The need for designation is critical for the following reasons:

- 1) Olmsted County has invested in technology to provide additional capacity to produce energy and reduce the volume that goes to a landfill, and must have assurance that all MMSW generated in the Counties will be delivered to the system in order to appropriately convert waste-to-energy, without this assurance, the waste will be landfilled, and the opportunity to generate renewable energy would be lost.
- 2) It will reduce greenhouse gas emissions.
- 3) Provide level playing field for all waste generators.
- 4) Follows the state hierarchy plan for Solid Waste Management

CHAPTER FIVE
EVALUATION OF ALTERNATIVES TO DESIGNATION

5. **Availability of Less Restrictive Methods for Assuring an Adequate Waste Supply**

- 5.1. **Background** - The means available for assuring an adequate supply of waste for the County's resource recovery system have been evaluated in the context of a variety of factors. The existing solid waste management system and the economic factors that relate to it are two major influences that affect the means the County must use to secure an adequate waste supply.

Olmsted County owns and operates the Olmsted Waste-to-Energy Facility (OWEF). The OWEF is a permitted facility and operates under the rules of the United States Environmental Protection Agency and Minnesota Pollution Control Agency. The OWEF produces energy in the form of steam and electricity. In addition to supplying steam and electricity to a number of county-owned buildings, contracts are in place to supply energy to an expanding district energy system which currently consists of 26 buildings. Electricity is generated utilizing any steam not needed by the District Energy System. Contractual arrangements exist with Rochester Public Utilities and the Southern Minnesota Municipal Power Agency (SMMPA) to purchase electricity not utilized by the district energy system.

The County owns and operates a landfill in Kalmar Township which began operation in 1991. There are three types of landfill cells at the Kalmar site. They are 1) Demolition and construction debris (C & D) cell; 2) mixed municipal solid waste (MSW) cell; and 3) Ash cell - for medical waste ash, coal ash and MSW ash. The landfill was sited following an extensive geologic study of Olmsted County and each of the cells are specifically designed, constructed and operated in compliance with all Minnesota Pollution Control Agency rules.

Olmsted County owns and operates a recycling center with service for waste disposal customers, a yard waste compost site to collect leaves and grass clippings, and a household hazardous waste facility. This provides one-stop disposal for self-haulers and a proper place for all county-generated waste. Through tours, presentations, business assistance, newsletters, a web site, an advice line and other educational outreach efforts the community is made aware of the benefits of the system and how to best use all of the components.

The facilities and the waste reduction education program are financially supported primarily by Tipping Fees (and other user fees), utility sales and recyclable material sales. No property tax moneys are used to support the integrated solid waste system.

Olmsted County has made a considerable investment in its integrated solid waste management system to make the most beneficial use of the resources. By designating waste to the Olmsted County disposal facilities, all generators pay the full cost of the integrated waste disposal system based on the amount of waste they produce.

When the Olmsted Waste-to-Energy Facility began operation in 1987, waste was subject to designation under Olmsted County Solid Waste Ordinance No. 4. In 1993, Olmsted County entered into Solid Waste Management Agreements with Commercial Haulers to deliver waste to Olmsted County Facilities. In 1998, Olmsted County repealed its designation ordinance following court cases that held that flow control ordinances were in violation of the Commerce Clause.

In 2006, Olmsted County began a process to explore waste delivery options. The Olmsted County Board of Commissioners considered three different waste delivery options:

- 1) District hauling by contract - would divide the county into five to eight trash hauling districts. Haulers would compete for County contracts to serve each one of the districts. The County would directly bill customers for hauling, disposal and other solid waste services.
- 2) Public collection with County trucks and drivers - would create a new County department that would purchase garbage trucks, hire drivers to provide collection and disposal for every household and business in the county.
- 3) Voluntary hauler contracts - the County would enter into Acceptable Waste Delivery Agreements negotiated with the existing licensed haulers. The contract haulers would deliver acceptable waste collected in Olmsted County to Olmsted County disposal facilities; pay a Tipping Fee for each ton delivered; and collect a Service Charge (established by the County) from its customers and remit it to Olmsted County.

After multiple meetings with stakeholders and the public, the options were graded as to long-term sustainability, environmental liability protection, quality-of-life improvements, viability of funding by user fees and energy sales (not property taxes), ease of day-to-day operations, ease of transition and market impact. In September of 2006, voluntary 15-year contracts were signed with the existing haulers that took effect July 1, 2007.

Without the Acceptable Waste Delivery Agreements the system would be unprotected. While the Agreement secures a significant portion of the waste stream, there are gaps that could put the County at risk for environmental and financial liability. The potential exists for self-haulers, and others not subject to the Acceptable Waste Delivery

Agreement, to undermine the integrated system by hauling waste to landfills outside of Olmsted County.

In 2007, the U.S. Supreme Court ruled in *United States Haulers Association Inc. vs. Oneida-Herkimer Solid Waste Management Authority*, that waste designation (or flow control”) ordinances to publicly owned and operated facilities are not *per se* in violation of the dormant Commerce Clause of the U.S. Constitution.

Dodge County has an approved Designation Plan and Designation Ordinance which includes processing waste at the Olmsted Waste-to-Energy Facility. Dodge County adopted a Designation Plan in February of 1985 along with a Designation Ordinance, as amended.

Licensed Commercial Haulers are subject to the requirements of the Acceptable Waste Delivery Agreement. Designation puts the responsibility of waste disposal on the generator to pay the full cost of the integrated program so that all Olmsted County generators pay equally for the integrated solid waste management system. Designation eliminates the gaps in the system by those not currently subject to the Acceptable Waste Delivery Agreements, and provides all generators the same level of environmental liability protection.

- 5.2 **Conclusion** - Designation provides a workable, timely, reliable long-term assured waste supply adequate to meet the needs of Olmsted County’s Waste-to-Energy Facility and integrated solid waste management system. Long term contracts and economic incentives are in place. However, neither contracts nor economic incentives provide a complete, reliable means to secure the assured supply of waste that is vital to the success of the integrated solid waste management system and the Olmsted Waste-to-Energy Facility. If the Agreement is breached or otherwise terminated, the ordinance will be enforced.

Designation provides a means for a direct legal requirement that waste be delivered to Olmsted County facilities. Without the security and reliability that designation provides, the Olmsted Waste-to-Energy Facility and Olmsted County’s integrated solid waste management system face significant long term financial risk and will be at risk of not meeting its integrated solid waste management program goals.

ATTACHMENT 1

Solid Waste Management Agreement between
Dodge County and Olmsted County

Dodge/Olmsted Solid Waste Joint Powers Board

WHEREAS, Dodge and Olmsted Counties (Counties) executed a Joint Powers Agreement on October 28, 1986 (amended on June 30, 1989) hereby approving the Dodge/Olmsted Joint Powers Board (DOJPB); and

WHEREAS, this Agreement provides cooperation between Counties to reduce the volume of unprocessed solid waste and furthers the opportunities for efficient solid waste management; and

WHEREAS, the Counties have executed plans that continue a landfill abatement program and the operation of a 200 ton per day resource recovery facility known as the Olmsted Waste-to-Energy Facility (OWEF) which converts solid waste to steam and electricity and this facility is scheduled to increase capacity to 400 tons per day; and

WHEREAS, the present Agreement states that Olmsted County will offer Dodge County continued waste processing services under similar and mutually agreeable conditions; and

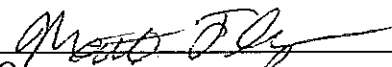
WHEREAS, both Counties have developed a mutually agreed fee structure for the OWEF and Kalmar Landfill and other language under a new Agreement; and


WHEREAS, the new Agreement extends the Term of Agreement to June 30, 2028 to coincide with the management and operational needs of the new, expanded OWEF capacity of 400 tons per day; and

NOW THEREFORE BE IT RESOLVED, the Dodge/Olmsted Solid Waste Joint Powers Board approves the new Solid Waste Management Agreement between Dodge County, Minnesota and Olmsted County, Minnesota pending review of the Dodge and Olmsted County Attorneys and approval of the Dodge and Olmsted County Board of Commissioners.

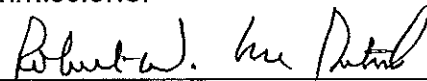
Date: August 12, 2004

OLMSTED COUNTY

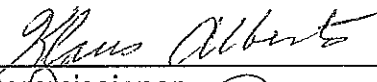
By: 
Commissioner

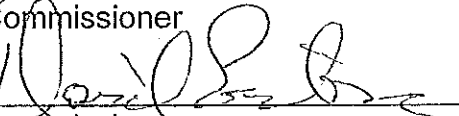

Commissioner

Commissioner

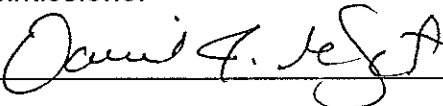
Attest: 

DODGE COUNTY

By: 
Commissioner


Commissioner

Commissioner

Attest: 

ATTACHMENT 2

Dodge County Designation Ordinance

**SOLID WASTE
ORDINANCE, NUMBER 2
SOLID WASTE DESIGNATION ORDINANCE FOR DODGE COUNTY
(AS AMENDED ON DECEMBER 26, 2007)**

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Subsection 8. "Hauler" shall mean a collector or transporter of Solid Waste licensed under the Solid Waste Ordinance.

Subsection 9. "Hazardous Waste" shall have the meaning as defined in Minnesota Statutes, Section 116.06, Subd. 13 and in 42 U.S.C. Section 6903(5) and in regulations promulgated pursuant to either of the foregoing as the same may be amended or supplemented from time to time.

Subsection 10. "Municipal Solid Waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, and other materials collected, processed and disposed of as a separate waste stream.

Subsection 11. "OWEF" shall mean the Olmsted County Waste-to-Energy Facility.

Subsection 12. "Person" shall mean any individual, corporation, partnership, joint venture, association, trust, unincorporated association, or government or any agency or political subdivision thereof, including, without limitation, landfill operators, solid waste generators and Haulers in the County.

Subsection 13. "Solid Waste Ordinance" means the Dodge County Solid Waste Management Ordinance as adopted, amended and supplemented from time to time.

Subsection 14. "Tipping Fee" shall mean the charge payable to the County by a Person under Section V of this Ordinance.

Subsection 15. "Unacceptable Waste" means waste as defined by resolution of the Dodge County Board of Commissioners. Such Unacceptable Waste may be accepted at the Facility in limited quantities at the discretion of the Facility operator.

SECTION II. DESIGNATION

Subsection 1. Application of Ordinance. This Ordinance shall govern the transportation and disposal of all Designated Waste generated or disposed of within the County and all Persons engaged in transportation of Designated Waste within the County.

Subsection 2. Designation. On and after the Effective Date, all Designated Waste generated within the County must be delivered to the Facility at the Dodge County Landfill and may not be delivered to any other disposal site except as provided in subsections 3, 4 and 5 herein.

Subsection 3. Exemptions. The following materials shall be excluded from Designation:

provision does not relieve any Person of any obligation to comply with all other applicable federal, state or local laws or ordinances. The County will provide reasonable notice of any suspension and subsequent reinstatement of the Designation requirement to Haulers, municipalities, and citizens in the county.

SECTION III. DELIVERY OF WASTE BY HAULERS

Subsection 1. Licenses Required. Pursuant to the Solid Waste Ordinance, each Person engaged in the business of collecting or transporting waste within the County must have a valid license issued by the County. In addition to all requirements of the Solid Waste Ordinance, it shall be a condition of the license that the Hauler complies with all requirements set forth in subsections 2 through 12 hereof.

Subsection 2. Improper Equipment. The County may reject any delivery of waste delivered by equipment in violation of the Solid Waste Ordinance. In the event of such a rejection a sum equal to the Tipping Fee provided in Section V as adjusted, shall be charged to each Hauler for each ton of waste delivered by such Hauler and rejected by the County. Each Hauler shall maintain with the County such information concerning equipment of such Hauler as may be requested from time to time by the County or required by the Solid Waste Ordinance.

Subsection 3. Title to Designated Waste. Each Hauler shall have title (ownership) to all Designated Waste delivered to the Facility pursuant to this Ordinance and will defend, indemnify and hold the County harmless from any and all claims of ownership brought against the County with respect to said Designated Waste which may affect the clear title of the County to said Designated Waste at the time of its acceptance by the County. Each Hauler shall retain all rights, title (ownership) and responsibility with respect to Designated Waste until such time as the Designated Waste is delivered to the Facility, tipped into or (as provided below) adjacent to the receiving trailers of the Facility and accepted by the County. The County may, for purposes of inspection, require that the Designated Waste be deposited near the receiving trailers for transfer to the trailers by the County. When the Designated Waste is deposited at the Facility and accepted by the County as Acceptable Waste all rights and title (ownership) with respect thereto shall thereupon be transferred from the Hauler to the County, except to the extent the County subsequently rejects previously accepted waste as Unacceptable Waste as provided in subsection 7.

Subsection 4. Insurance. Each Hauler shall obtain and furnish to the County evidence of all insurance required under the Solid Waste Ordinance, covering all vehicles to be used and all operations to be performed by the hauler, its subcontractors and independent contractors under this Ordinance. Such insurance may be provided by the hauler and separately by the individual subcontractors and independent contractors; or, in the alternative, the Hauler may furnish evidence of such insurance covering itself as well as all of its subcontractors and independent contractors as additional insureds.

Waste to be delivered under this Ordinance and to deliver the same to the Facility for disposal in accordance with such regulations relating to the manner of delivery as the County may from time to time establish.

- d) Facility Rules. Each Hauler or other Person delivering Designated Waste pursuant to this Ordinance will comply with all rules and regulations posted at the Facility.

Subsection 9. Monthly Invoices to Haulers; Payments. The County shall, within ten (10) days following the last day of each month subsequent to Effective Date, submit to each Hauler a statement of the total tonnage of all waste delivered to the Facility during the preceding month or other applicable period and the amount which each Hauler is required to pay to the County pursuant to this Ordinance. The Tipping Fees for each month shall be computed on the basis of the applicable rate of payment times the total tonnage of all waste delivered by each Hauler to the Facility during such month or part of any month. The monthly invoice shall include the total Tipping Fee due and any other charges due and owing to the County pursuant to this Ordinance.

Invoices for each month's deliveries shall be paid to the County or its order on or before the twenty-fifth (25th) day after the date of the invoice. Invoices not paid when due shall incur daily interest until paid at an annual rate equal to twelve percent (12%), or the maximum interest rate permitted by applicable law if less than said interest rate, or such other interest rate as is determined by resolution of the County Board. Provisions in this Ordinance regarding monthly invoices for amounts due shall also apply to separate invoices.

Notwithstanding any dispute regarding the amount due listed on the monthly invoice, each Hauler shall pay the disputed amount. If a disputed amount has been paid by a Hauler and the dispute is resolved in favor of such Hauler, the County shall reimburse the disputed amount plus daily interest on such disputed amount from the date such disputed amount was received by the County, at an annual rate equal to the applicable interest rate, as provided in the previous paragraph of this subsection 9.

If the County at any time determines the amount due listed on an invoice for a particular month was less than the actual amount due, the County may issue a separate invoice for the amount not previously billed or add the amount not previously billed to the next subsequent monthly invoice as a separate item with an accompanying explanation.

Subsection 10. Street Cleanup Charges. In the event that the County determines that Haulers are responsible for debris, leakage and other waste littering roadways leading to the Facility, the County may charge each Hauler with the costs of the removal and disposal of such debris and other waste littering roadways leading to the Facility on the basis of the amount of such monthly costs as determined by the County, multiplied by the percentage derived by dividing the total number of deliveries of waste of each Hauler to the Facility during the month by the total number of deliveries of waste to the Facility during such month; provided, however, that if in the sole judgment of the County a specific Hauler during any period of time is primarily responsible for all or a portion of waste littering roadways leading to the Facility, the County may charge such Hauler with the entire cost of the removal and disposal of such waste or such

SECTION V. TIPPING FEES

Subsection 1. Payment. Each Hauler or other Person who delivers waste to the Facility must pay a Tipping Fee to the County for waste disposed of and accepted at the Facility. Such Tipping Fee shall be based on the tonnage of waste delivered to the Facility or, with respect to waste the County determines to be impractical to weigh, on such other factors as the County Board may specify in the resolution establishing the Tipping Fee.

Subsection 2. Establishment of Fees.

- a) **Procedure.** The County Board of Commissioners shall establish or amend the Tipping Fee by resolution in accordance with this Ordinance enacted after hearing, and the same shall be on file with the County Clerk-Administrator. The resolution shall state the effective date of the Tipping Fee. Ninety days notice posted at the Facility shall be required for any change in the Tipping Fee. The Tipping Fee rate shall be reviewed at least annually. Any proposed change in the Tipping Fee shall be subject to a public hearing.
- b) **Principles.** The County shall set the Tipping Fee and any amendments thereto at a reasonable amount, taking into account any of the following factors:
1. the cost to the County of waste management services including those provided by the Facility including capital and operating and maintenance costs;
 2. the cost to and savings by Haulers of delivering waste to the Facility.
 3. the tipping fees charged at landfills in the area.
 4. any revenues from sale of materials or energy from the Facility; and
 5. any other factors which the County may determine to have an impact on the reasonableness of the Tipping Fee at the Facility.

SECTION VI. VIOLATIONS AND PENALTIES

Subsection 1. Misdemeanor. Any person who fails to comply with the provisions of this Ordinance is guilty of a misdemeanor. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues to occur.

connection with the inspection or control of Designated Waste or in connection with any other official duties.

Subsection 6. Reporting Requirements. The County shall prepare an annual report conforming to the requirements of Minnesota Statutes, Section 115A.89 and submit said report to the appropriate state authority. In addition to those items contained in Minnesota Statutes, Section 115A.89, the County shall summarize the results of all rate hearings held and submit the most recent costs and revenue statement for the Facility.

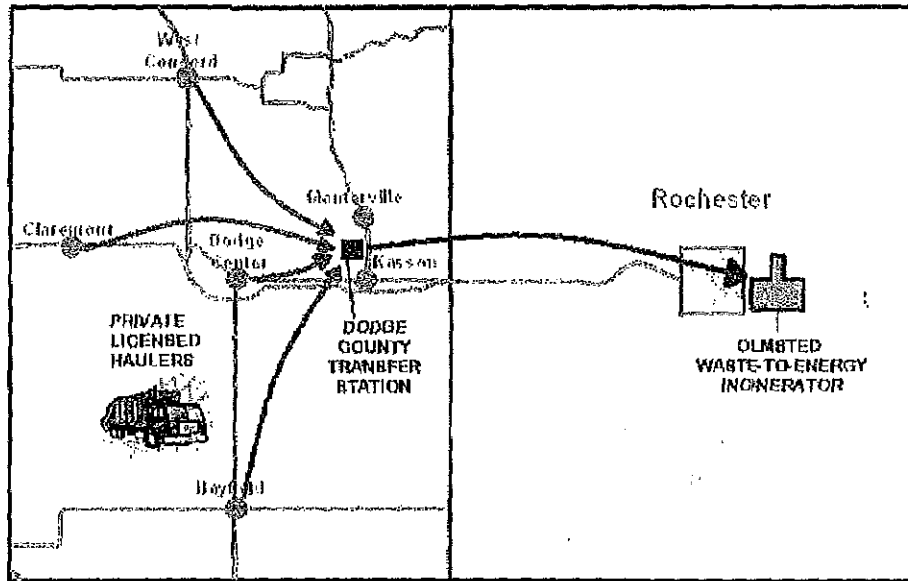
Subsection 7. Effective Date. This Ordinance shall be in full force and effect upon a date to be specified by resolution of the County Board at least sixty (60) days in advance of the Effective Date.

#2384393

Dodge County Fact Sheet

Solid Waste Designation Ordinance

DODGE-OLMSTED JOINT WASTE MANAGEMENT SYSTEM



What is the County's Waste Designation Ordinance? It regulates the delivery of garbage generated in the County. It states that all garbage generated in Dodge County must be delivered to the Dodge County Transfer Station.

Why is the Ordinance important? Since 1986, Dodge has partnered with Olmsted County to build and operate a waste management system that uses garbage to generate renewable energy. Garbage is delivered to the Transfer Station then transported to the Olmsted Waste to Energy Facility for production of steam and electricity. All the expenses for this system are paid by user fees. To make the system economical and fair to everyone, Dodge County must make sure all garbage generated within the county is delivered to the Transfer Station.

What are the Benefits of this Waste Management System?

1. Using waste as a fuel conserves limited natural resources and generates renewable energy.
2. Waste combustion destroys pollutants in garbage.
3. Reduces the need to landfill garbage and therefore reduces liabilities for pollution clean-up at landfills.
4. The County's Solid Waste Transfer Station is funded by user fees... it's a part of the local economic base.
5. Citizens and businesses have a voice in the operation of the County's Solid Waste Management Program.

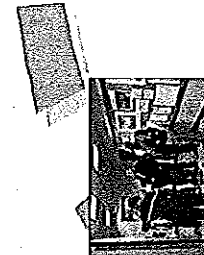


ATTACHMENT 3

"Responsible Waste Disposal is Not Free" pamphlet

WHAT DO I GET FOR MY MONEY?

An environmentally responsible integrated system to manage your solid waste. The components of the system complement each other and individually serve an important role in the total system. This makes the most beneficial use of each material, conserves resources, prevents pollution, and conserves landfill space. By reducing the amount of waste you produce, recycling, composting and utilizing the hazardous waste facility, you get the most for your money and can potentially reduce the amount you pay for disposal.



Education/Tours — Staff provide assistance to businesses to start or improve waste reduction, recycling, hazardous waste management and composting practices. Speakers and facility tours are also available to interested groups by calling the Public Works Department at 328-7070.



Olmsted County Recycling Center Plus - Offers "one-stop" drop off for individuals who wish to transport their own waste. Garbage disposal and certain items (for example appliances, tires, e-waste) are accepted at the Recycling Center for a fee. Sorted recyclables can be dropped off free of charge.



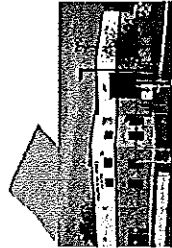
Yard Waste Compost Site — Provides a place to drop off leaves and grass clippings free of charge. Finished compost is sold to help recover some of the costs of processing.



Kalmar Landfill — Provides disposal of demolition & construction material; mixed municipal solid waste (MSW-garbage); and medical, coal, and MSW ash.



Olmsted Waste-to-Energy Facility (OWEF) - Produces steam and electricity, which is provided to 26 buildings in the District Energy System, and reduces the volume of waste that goes to the landfill by about 90%. Since opening in 1987, over 1.3 million tons of garbage have been turned into energy, the amount that would have been produced burning over 500,000 tons of coal.



Hazardous Waste Facility - Accepts most hazardous waste free of charge from households. Also accepts hazardous waste from businesses who meet certain requirements on a fee-for-service basis. Useable paint and other materials are available free of charge at the Hazardous Waste Reuse Center.

PRSRT STD
U.S. Postage
PAID
Rochester, MN
Permit No. 270

Olmsted County Public Works Department
2122 Campus Drive SE Suite 200
Rochester, MN 55904

**RESPONSIBLE
WASTE DISPOSAL IS
NOT FREE**

*Garbage bill to increase
by about 10% after May 1*
*Change only affects
"Environmental Service
Charge" line item*
*This is the first County
increase since 2004*



Public Works Department
2122 Campus Drive SE—Suite 200
Rochester, MN 55904
Phone: 507-328-7070
E-mail: pwservice@co.olmsted.mn.us
www.olmstedwaste.com

WHAT DOES IT MEAN TO ME?

An increase to the Olmsted County Environmental Service Charge will take effect May 1, 2009. It will be used to pay for the addition of the third combustion unit at the Olmsted Waste-to-Energy Facility (OWEF). The service charge increase will only affect the line item description on a garbage bill labeled "Olmsted County Environmental Service Charge." It will increase from 5% to 17% of gross pretax charges which amounts to an increase of about \$3/month on a \$28/month residential bill as shown below.

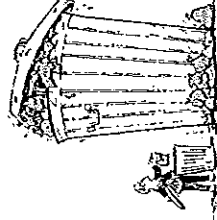
Commercial customers served by Haulers and Olmsted County Recycling Center Plus self-haul customers, will see comparable changes. The disposal cost is made up of two parts: a

Example: Residential Customer Bill			
	Current Bill 5/1/09	Bill for Services After 5/1/09	% Increase
Service Charge Rate	5%	17%	
Waste Disposal, Fuel Surcharges, Other	\$ 18.00	\$ 18.00	\$ -
Recycling Related Charges	\$ 7.00	\$ 7.00	\$ -
Charges Subject to Service Charge	\$ 25.00	\$ 25.00	\$ -
Olmsted County Env. Service Charge	\$ 1.25	\$ 4.25	\$ 3.00
State Solid Waste Mgmt Tax (0.75%)	\$ 1.75	\$ 1.75	\$ -
Invoice Total	\$ 28.00	\$ 31.00	\$ 3.00
Total Bill if Billed Quarterly	\$ 84.00	\$ 93.00	\$ 9.00
			10.7%

"tipping fee" charged to the haulers at the facility gate and the Olmsted County "environmental service charge." The service charge is billed and collected by all licensed haulers and remitted to Olmsted County monthly. No local property tax

NO LOCAL PROPERTY TAX DOLLARS ARE USED TO FUND THE SOLID WASTE PROGRAMS

dollars are used to fund the Solid Waste programs. The Olmsted County Solid Waste Division manages an Enterprise Fund using revenue from energy sales, disposal fees and the environmental service charge to operate the yard waste compost site, Recycling Center Plus, Hazardous Waste Facility, Olmsted Waste-to-Energy Facility and Kalmarr Landfill.

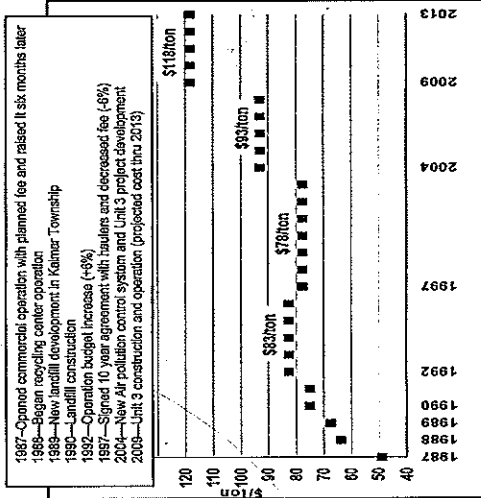


The average person in Olmsted County produces about 5-1/2 lbs. of waste per day. That's about 2,000 lbs. per year.

Self-haul Garbage Rates at Olmsted County Recycling Center Plus		
	Old	New
Up to 30 gallons	\$5/each	\$5/each
31-60 gallons	—	\$8/each
61-90 gallons	\$10/each	\$12/each

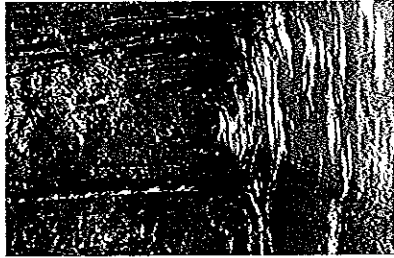
DISPOSAL COST HISTORY

The combination of the "tipping fee" and the "environmental service fee" are charted below for the past 21 years. The past practice of projecting the fees for five years has limited the garbage bill changes due to the County's actions.



LOOKING TO THE FUTURE

Currently, about 30,000 tons of waste go directly to the landfill for disposal each year instead of extracting the energy and reducing environmental liability. Landfilling this waste means valuable landfill space is used for materials that do not need to be put in the ground.



The expansion of the Olmsted Waste-to-Energy Facility (OWEF) will allow waste to be processed to capture energy and provide additional disposal capacity for community growth

EXPANSION OF OWEF WILL EXTEND LIFE OF KALMAR LANDFILL BY MORE THAN 20 YEARS.

in Olmsted and Dodge Counties. This will extend the life of the Kalmarr landfill by more than 20 years. The third unit is expected to be operational in early 2010.

OWEF provides steam and/or electricity to 26 buildings in Rochester. The new 200-ton per day unit will double the capacity of the facility to 400 tons per day and create additional saleable steam and renewable biomass electricity.

Recyclable and printed on recycled paper

ATTACHMENT 4

“Unacceptable Waste, Problem Materials and Special Wastes” fact sheet

**TABLE 2
UNACCEPTABLE WASTES, PROBLEM MATERIALS AND SPECIAL WASTES**

The acceptability of a solid waste at any particular Olmsted County solid waste management facility is determined by many factors: federal, state and local laws/ordinances, facility operational considerations, source of the waste, and County policy. Since Olmsted County residents enjoy the advantage of an integrated solid waste management system that includes multiple disposal facilities, there are local management options for almost every type of solid waste and few wastes are categorically unacceptable. In the table below, for each listed waste category, an "X" marks which County solid waste management facility CAN manage the waste. Where more than one facility is marked, the preferred order of options is 1) recycling, 2) energy recovery at the Olmsted Waste-to-Energy Facility (OWEF), and 3) landfilling. A blank box in a column indicates where the waste is **NOT** acceptable. If no "X" marks are shown for a given waste, it is prohibited from all Olmsted County owned and operated facilities. In these cases, a reference is provided for alternative disposal options. *A cautionary note: waste acceptance at the Hazardous Waste Facility (HWF) may be limited by the program authority governing the waste (Household Hazardous Waste, Very Small Quantity Generator, Agricultural Pesticides, and Universal Wastes). An "X" in these cases means the waste may be acceptable, depending on the waste source, since each program serves a specific clientele. Non-qualifying entities generating unacceptable hazardous wastes will be given guidance in contacting a private, licensed hazardous waste management vendor. Call the Olmsted County Public Works Department at 328-7070 for disposal guidance of the hazardous waste(s).*

WASTE TYPE	OWEF (1)		Recycling Center Plus (2)			Kalmr Landfill (3)			Compost		HWF
	R	CC	NCC	Ash	MSW	Demo	Site				
animal remains & carcasses, if approved according to the ISWMP [ISWMP]			X(5)		X						
appliances, major (clothes washers & dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional & microwave ovens, ranges & stoves, air conditioners, dehumidifiers, refrigerators & freezers. This includes removal of capacitors & ballasts that may contain PCBs, removal of CFC refrigerant gas, & recycling or reuse of metals, including mercury. [MN Stat. 115A.9561, 115A.03 (17a), 115A.552, 116.731]	X										

- (1) The OWEF operates under Air Emission Facility permit #10900005-002.
- (2) R: Recycling; CC: Combustibles Container; NCC: Non-Combustibles Container
- (3) The Kalmr Landfill (permit #SW-355) has three different types of waste disposal cells: an ash cell, a cell to accept municipal solid waste bypassed from the OWEF, non-processible waste and Industrial Solid Waste, and a cell for demolition and some construction debris.
- (4) ISWMP = Non-hazardous Industrial Solid Waste Management Plan; in cases where the ISWMP evaluation identifies the waste as hazardous, the HWF may be an option.
- (5) Household quantities or deliveries of less than one cubic yard
- (6) To be placed in the demolition debris box.
- (7) Residential paint waste may be brought to the demolition debris cell only if it is still attached to the elements removed from the structure of a residence.
- (8) Only fiberglass resins will be deposited in the MSW cell of the landfill.
- (9) Only small quantities of treated wood end cuts are acceptable in the demolition debris cell.
- (10) Retailers selling pressure vessels will take back unvented tanks where they will be vented and recycled. Alternatively, vented tanks may go to the Recycling Center Plus or the MSW cell.
- (11) Incidentally received waste that is co-mingled with MSW.
- (12) If attached to the structure when demolished it is acceptable in the Demolition cell.
- (13) Bulky items >3' x 3' x 3' only.
- (14) OWEF facility-generated quantities only.

WASTE TYPE	OWEF (1)			Recycling Center Plus (2)			Kalmar Landfill (3)			Compost		HWF
	R	CC	NCC	Ash	MSW	Demo	Site					
asbestos containing materials, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]					X						X(5)	
ash, combustion, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP, Kalmar permit]			X(5)	X								
auto parts (including gasoline tanks, engine blocks, drive shafts, etc.) [Ord. #10]	X											
automotive batteries (lead acid, spent or unspent) [MN Stat. 115A.915]											X	
batteries (dry cell) containing mercuric-oxide, silver-oxide, or nickel-cadmium electrodes; sealed lead-acid batteries; rechargeable batteries or battery packs & products with non-removable battery packs [limited application of MN Stat. 115A.9155 & 115A.9157]											X	
brush & tree debris [MN Stat. 115A.931, OWEF permit]	X											
carbon filters, spent, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]	X				X						X(4)	
carpet & carpet padding (rolls cannot be taped or tied) [Ord. #10]	X				X			X			Some local carpet retailers/ installers recycle old carpet and pads	
cathode ray tubes (CRTs),												

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WASTE TYPE	OWEF (1)	Recycling Center Plus (2)			Kalmar Landfill (3)			Compost Site	HWF
		R	CC	NCC	Ash	MSW	Demo		
chemical containers (empty), including aerosol cans, caulking tubes, & containers for adhesives, oil, petroleum-based products, paint, & tar, if approved according to the ISWMP; disposal location to be determined based on the container material [ISWMP]	X	X				X			
chlorofluorocarbons (CFCs) [MN Stat. 115A.9561 & 116.731]									X
christmas trees [Ord. #10]	X(11)	X					X		
contaminated soil, if approved according to the ISWMP [ISWMP]					X				X(5)
construction waste, if handled according to the ISWMP and landfill operating procedures [Kalmar permit, ISWMP]		X	X	X		X			
corrugated cardboard (if it can't be recycled due to contamination or reinforcement with wood or expanded polystyrene [Styrofoam TM J] [Ord. #10])	X	X	X			X			
demolition debris [Ord. #10]				X(6)				X	
electrical ballasts & capacitors containing polychlorinated biphenyls (PCBs) [MN Stat. 115A.9561]									X
electronic component waste, if approved according to the ISWMP [ISWMP]	X	X				X			
fluorescent tubes & high intensity discharge lamps [MN Stat. 115A.932]									X
food waste, if approved according to the ISWMP [ISWMP]	X		X(5)			X			
foundry wastes, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]						X			

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WASTE TYPE	OWEF (1)	Recycling Center Plus (2)			Kalmar Landfill (3)			Compost Site	HWF
		R	CC	NCC	Ash	MSW	Demo		
furniture (very large items or ones with large amounts of metal, such as hide-a-beds, recliners, all mattresses & box springs) [Ord. #10]		X		X		X			
furniture (smaller, combustible items) [Ord. #10]	X		X			X			
glass: laminated (automotive or window) [Ord. #10]				X(5)		X			
glass: non-laminated (automotive or window) [Ord. #10]				X(5)(6)		X			
glass: non-recyclable, if approved according to the ISWMP [ISWMP]				X(5)		X			
hazardous waste [MN Stat. 116.06, MN Hazardous Waste Rules Ch. 7045]									X
industrial solid waste, non-hazardous (generated by industrial & manufacturing processes & from service & commercial establishments), if approved according to the ISWMP [MN Rules Chapters 7001.3300, 7011.1250, 7035.0300, 7035.2535]	X					X			
infectious waste, if approved according to the ISWMP [ISWMP, OWEF Infectious Waste Management Plan]	X					X(13)			
ink sludges, solvents & clean-up materials, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]	X								X
large items (greater than 3' X 3' X 3' or 5' in length) [Ord. #10]				X		X			
large metal items [Ord. #10]		X		X		X			
lead paint waste [MN Stat. 116.875 & 116.88]				X(6)(7)		X		X(7)	X
liquid, non-hazardous waste		Call your local water reclamation plant or a seepage hauler.							
machining wastes, if approved according to the ISWMP [ISWMP]	X	X				X			X

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(11) Incidentally received waste that is co-mingled with MSW.

(12) If attached to the structure when demolished it is acceptable in the Demolition cell.

(13) Bulky items >3' x 3' x 3' only.

(14) OWEF facility-generated quantities only.

WASTE TYPE	OWEF (1)	Recycling Center Plus (2)			Kalmar Landfill (3)			Compost Site	HWF
		R	CC	NCC	Ash	MSW	Demo		
mercury containing materials, such as dental mercury, thermostats, thermometers, electric switches, appliances, medical/ scientific instruments, & wearing apparel containing mercury switches; relays, thermocouples, manometers, gauges & metallic mercury [MN Stat. 115A.932 & 116.92]									X
For assistance, call the Minnesota Pollution Control Agency (MPCA).									
mining wastes [MN Stat. 115A.03]									
mixed municipal solid waste (i.e., "garbage") [OWEF & Kalmar permits]	X		X	X		X			
motor & vehicle fluids & filters, including brake, power steering & transmission fluids, & antifreeze, if approved according to the ISWMP [MN Stat. 115A.916, ISWMP]									X-no motor oil
oil contaminated waste, if approved according to the ISWMP [ISWMP]	X								X(4)
oil, used motor, if approved according to the ISWMP [ISWMP, MN Stat. 115A.916]	X(14)								
out-of-state solid waste, unless it meets the solid waste regulations of the state in which it was generated & excludes wastes specifically banned from MMSW in Minnesota [MN Stat. 115A.935]									
Call the environmental agency in the state where the waste was generated.									
paint residues, filters & dust, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]	X						X		X(4)
paints, solvents, gasoline & other flammable liquids, combustible or ignitable wastes [MN Rules Ch. 7045 & 7035.2535, ISWMP, OWEF permit]									X

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- (13) Bulky items >3' x 3' x 3' only.
- (14) OWEF facility-generated quantities only.

WASTE TYPE	OWEF (1)	Recycling Center Plus (2)			Kalmar Landfill (3)			Compost Site	HWF
		R	CC	NCC	Ash	MSW	Demo		
pesticides, insecticides, poisons, chemicals or other toxic materials [MN Rules Ch. 7045]									X
photographic negatives & X-rays and their fixing solutions [Ord. #10]									X
plastics, non-recyclable, if approved according to the ISWMP [ISWMP]	X		X			X			
polychlorinated biphenyls (PCBs), if approved according to the ISWMP [ISWMP, MN Rules 7035.2535 & 7045]	X					X			X(4)
radioactive waste [MN Stat. 116C.852]		For assistance, call the Minnesota Pollution Control Agency							
recyclable materials, source-separated: at a minimum; newsprint, glass containers, aluminum containers & scrap, clean corrugated cardboard &, for businesses, mixed paper [MN Stat. 115A.95]		X							
rendering & slaughterhouse wastes									
resins, cured (epoxy, fiberglass, urethane & polyurethane), if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]	X (not fiberglass)					X (8)			X(4)
sharps, household [Ord. #10]									X
shingles [Ord. #10]						X(6)		X	
sludges, if approved according to the ISWMP [MN Stat. 115A.03, 7035.2535, ISWMP]	X					X			X(4)
spilled non-hazardous material, if approved according to the ISWMP [MN Rules 7035.2535, ISWMP]	X					X			
steel banding [Ord. #10]		X			X			X	

- (1) The OWEF operates under Air Emission Facility permit #10900005-002.
- (2) R: Recycling; CC: Combustibles Container; NCC: Non-Combustibles Container
- (3) The Kalmar Landfill (permit #SW-555) has three different types of waste disposal cells: an ash cell, a cell to accept municipal solid waste bypassed from the OWEF, non-processible waste and Industrial Solid Waste, and a cell for demolition and some construction debris.
- (4) ISWMP = Non-hazardous Industrial Solid Waste Management Plan; in cases where the ISWMP evaluation identifies the waste as hazardous, the HWF may be an option.
- (5) Household quantities or deliveries of less than one cubic yard
- (6) To be placed in the demolition debris box.
- (7) Residential paint waste may be brought to the demolition debris cell only if it is still attached to the elements removed from the structure of a residence.
- (8) Only fiberglass resins will be deposited in the MSW cell of the landfill.
- (9) Only small quantities of treated wood end cuts are acceptable in the demolition debris cell.
- (10) Retailers selling pressure vessels will take back unvented tanks where they will be vented and recycled. Alternatively, vented tanks may go to the Recycling Center Plus or the MSW cell.
- (11) Incidentally received waste that is co-mingled with MSW.
- (12) If attached to the structure when demolished it is acceptable in the Demolition cell.
- (13) Bulky items >3' x 3' x 3' only.
- (14) OWEF facility-generated quantities only.

WASTE TYPE	OWEF (1)	Recycling Center Plus (2)			Kalmar Landfill (3)			Compost Site	HWF
		R	CC	NCC	Ash	MSW	Demo		
street sweepings, if approved according to the ISWMP [MN Stat. 115A.03, ISWMP]						X			
telephone books [MN Stat. 115A.951]		X							
tires [MN Stat. 115A.904, OWEF permit, ISWMP]	X(11)	X							
treated wood [Ord. #10]	X(11)			X		X	X (9)		
vented tanks & pressure vessels [Ord. #10]		X (10)				X (10)			X (only small propane canisters)
yard waste [MN Stat. 115A.931, Ord. #10]	X(11)							X	

- (1) The OWEF operates under Air Emission Facility permit #10900005-002.
- (2) R: Recycling; CC: Combustibles Container; NCC: Non-Combustibles Container
- (3) The Kalmar Landfill (permit #SW-355) has three different types of waste disposal cells: an ash cell, a cell to accept municipal solid waste bypassed from the OWEF, non-processible waste and Industrial Solid Waste, and a cell for demolition and some construction debris.
- (4) ISWMP = Non-hazardous Industrial Solid Waste Management Plan; in cases where the ISWMP evaluation identifies the waste as hazardous, the HWF may be an option.
- (5) Household quantities or deliveries of less than one cubic yard
- (6) To be placed in the demolition debris box.
- (7) Residential paint waste may be brought to the demolition debris cell only if it is still attached to the elements removed from the structure of a residence.
- (8) Only fiberglass resins will be deposited in the MSW cell of the landfill.
- (9) Only small quantities of treated wood end cuts are acceptable in the demolition debris cell.
- (10) Retailers selling pressure vessels will take back unvented tanks where they will be vented and recycled. Alternatively, vented tanks may go to the Recycling Center Plus or the MSW cell.
- (11) Incidentally received waste that is co-mingled with MSW.
- (12) If attached to the structure when demolished it is acceptable in the Demolition cell.
- (13) Bulky items >3' x 3' x 3' only.
- (14) OWEF facility-generated quantities only.

ATTACHMENT 5

Map of Designated Area (Olmsted County)

GEOGRAPHIC AREA SUBJECT TO DESIGNATION

