COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: April 22, 2019
AGENDA NUMBER: 13
FILE NUMBER: 19-074
ITEM: WDE Industrial Waste Pit Removal

RECOMMENDATION: Approve with 4 Stipulations

APPLICANT: MPCA – Clifford Shierk
520 Lafayette Rd
St. Paul, MN 55155

PURPOSE: Removal of hazardous waste from industrial waste pit at the WDE landfill.

LOCATION: 14435 Crosstown Blvd, Andover, MN
APPLICABILITY:
1. Within 1 mile of an impaired waters.
2. Any work in or adjacent to wetlands, lakes or water courses
3. One or more cumulative acres of land disturbance

EXHIBITS:
3. SWPPP; by Clean Harbors, not dated, received 4/08/2019.
4. Offsite Transportation and Disposal Plan; by Clean Harbors, not dated, received 4/08/2019.
5. Wastewater Management plan; by Clean Harbors, not dated, received 4/08/2019.

PREVIOUS ACTION TAKEN: This is a new application.

FINDINGS:
Pre-application Meeting: The project as submitted has received a general review during a pre-application meeting.
**Ditches:** There is a public ditch on the property. The public ditch is County Ditch 57 according to the public drainage map. No work is occurring within or adjacent to the ditch.

**Ditch Hydraulics:** A crossing of the ditch is not proposed.

**Erosion and Sediment Control:** Soils affected by the proposal are Sartell and cut/fill.
- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and do have a note to stabilize within seven (7) days of inactivity.
- Adjacent properties and stormwater ponds are protected from sediment deposition.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stormwater runoff does pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity.
- Stabilization adequate to prevent erosion has not been provided at the outlets of all storm sewer pipes.
- All work adjacent to water or related resource has taken precautions to contain sediment, and stabilize the work area during construction.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are clearly located on the erosion and sediment control plan.
- The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details not provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

**Dewatering:** Shallow ground water does not exist on site. The project does not anticipate dewatering.

**Floodplain:** There is floodplain on the property according to the District model and FEMA. The District’s floodplain elevation is at 874.2 feet. The project does not propose to place fill within the floodplain. There are no flooding concerns upstream or downstream.

**High Water Flooding:** Information is not needed to substantiate low floor elevations, no structures are proposed.
Groundwater: Geotechnical information collected in December, 2016 indicates long term groundwater elevation is present at 30-35 feet below the surface.

The project site is not within the Emergency Response Area/10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA). Those uses include:
- Storage, production, disposal or treatment of hazardous materials

The project does propose a containment system.

The project does propose a secondary containment system which is easily inspected and whose purpose it is to intercept any leak or release from the primary containment vessel or structure.

Underground storage tanks are not proposed

Storage and use of petroleum products exceeding fifty-five (55) gallons are not proposed

The project has an acceptable contingency plan for preventing hazardous materials from contaminating the shallow/surficial aquifer should flood, fire, wind or other natural catastrophe, equipment failure or releases occur.

Historic Sites: The proposed project does not include sites of historic or archeological significance.

Local Planning & Zoning: The proposed project is consistent with local planning and zoning. There is an approved local water plan.

Property owners affected by changes in drainage should be notified and acknowledge the changes proposed.

Maintenance: The owner of the Stormwater Management features and treatment practices is unknown. The Stormwater Treatment Practices (STPs) consisting of the following:

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
<th>Inspection &amp; Maintenance Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diversion berms</td>
<td>2</td>
<td>unknown</td>
</tr>
<tr>
<td>Toe drain piping</td>
<td>1</td>
<td>unknown</td>
</tr>
<tr>
<td>Grass swale</td>
<td>1</td>
<td>unknown</td>
</tr>
</tbody>
</table>

A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice. The Maintenance Plan(s) is/are not consistent with District Maintenance standards for each STP.
Easements: The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** No changes to stormwater runoff are expected as part of the project. Stormwater leaving the site is discharged into a well-defined receiving channel and routed to an existing stormwater pond.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates, or rates which would interfere with sensitive downstream land uses. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving the site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe. All on-site constructed storm water conveyance channels are constructed to withstand the expected velocity from a 2-year frequency storm without erosion.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands/stormwater basins are pretreated by a sediment basin/water quality pond, and are designed correctly. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

**Impairments:** This project is not within one (1) mile of and drains to an Impaired Water. The Impaired Water is Coon Creek. Coon Creek is impaired for Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Suspended Solids (TSS)/ Total Phosphorus (TP)/E.coli. There is an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are new impervious surfaces proposed as part of this project.

**Wetlands:** Wetlands do not exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have not been delineated.

**Wetland Replacement Plan:** A wetland replacement plan has not been submitted and is not required.

**Wildlife:** The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.
The applicant has not contacted the MDNR natural heritage or endangered species program and is not required to.

If the project is present, the project does not propose substantial adverse alteration or significant detrimental impact on a species or removal of a plant species will occur.

**Performance Escrow:** $5,020  
**Wetland Escrow:** $ N/A  
There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (6.04 ac * $500/ac) = $5,020</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Stormwater &amp; Hydraulics: Stormwater flow from toe drain appears that it could create rills and erosion on slopes.</td>
<td>2. Provide clarification that stormwater discharging from toe drains will not cause erosion problems.</td>
</tr>
<tr>
<td>Soils &amp; Erosion Control: Detail is not provided for stabilized construction entrance.</td>
<td>3. Provide a detail for stabilized construction entrance.</td>
</tr>
<tr>
<td>Maintenance: It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.</td>
<td>4. Provide an O&amp;M Agreement that meets District requirements.</td>
</tr>
</tbody>
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**RECOMMENDATION:** Approve with 4 Stipulations  
**Stipulations:**  
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2. Provide clarification that stormwater discharging from toe drains will not cause erosion problems.  
3. Provide a detail for stabilized construction entrance.  
4. Provide an O&M Agreement that meets District requirements.