Clock is ticking on Andover landfill – and chemicals are leaking

Funding for a cleanup plan at the site in Andover has stalled in the Legislature.

By Jennifer Bjorhus Star Tribune

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The WDE Landfill in Andover is one of Minnesota’s top two most toxic closed landfills. The liner for its hazardous waste pit has dissolved, chemicals are leaking from thousands of barrels of toxic waste, and pollutants have saturated the underlying soil and contaminated an aquifer beneath the site.

But with a critical end-of-the-month deadline looming, funding for a cleanup plan remains snarled in the state’s divided Legislature.

“There’s no guarantees after this week,” said Kirk Koudelka, assistant commissioner of the Minnesota Pollution Control Agency (MPCA).

The agency, which adopted the moldering landfill in 1995 as part of its Closed Landfill Program, has a contractor ready to dig out the old waste and contaminated soil and haul it away for proper disposal or incineration. It would culminate years of work on a final solution for the landfill.

But sourcing the money for the cleanup has continually proved problematic.

In 2016, the MPCA got $650,000 from the state’s general fund to start the project, and in 2017 the Legislature approved an additional $11.35 million, mostly in general obligation bonds. Most of that is earmarked for the prep work and cleanup.

Last year, the Legislature assigned an additional $6 million from the lottery-funded Environment and Natural Resources Trust Fund. Environmental groups, however, called that an “unprecedented raid” on a conservation fund designed to pay for construction projects and sued to block it. The money remains tied up in litigation. Meanwhile, the cost of the project grew based on new findings.

So this year, the agency returned to the Legislature for an additional $10.3 million to get the $22.3 million cleanup project going.

This time, the DFL-controlled House and Republican-controlled Senate can’t agree on a funding source. Missing the MPCA’s end-of-February deadline could force a costly delay and a potentially higher bid, the agency says. Patience is fraying on all sides.
“I don’t care how this thing gets funded. Just fund it,” said Rep. Peggy Scott, R-Andover. “Are we just going to wait until there’s a disaster in Andover?”

The contractor, Massachusetts-based Clean Harbors Inc., declined to comment.

From the ground in Andover, the old WDE Landfill looks like a fenced-off, elevated athletic field. Deer sometimes traipse through the expansive grass-covered mound.

Beneath the surface lies a different story. Most of the landfill consists of garbage, but in the 1970s the dump took hazardous materials from across the state — including used paint, solvents, plating sludge and cyanides — and buried them in a one-third acre pit on the site. The facility is the only one of 110 landfills in the state’s Closed Landfill Program that was permitted to accept hazardous waste.

Given its high risk rating, the landfill is the MPCA’s top priority landfill cleanup project, and the agency wants to start the prep work this summer, Koudelka said.

Mitigation systems at the Andover pit have been pumping out contaminated groundwater and burning off vapors. The local drinking water has not been contaminated, Koudelka said, because residents are connected to city drinking wells that are deeper and north of the site. A local creek is currently within safety limits for pollutants.

But the mitigation efforts are short-term, not a permanent solution, Koudelka said.

The MPCA thinks the final $10.3 million should come via general obligation bonds, the traditional way such landfill projects are financed. “We’ve told both bodies what our preference is,” Koudelka said.

Yet last week the Senate passed a bill authored by Sen. Bill Ingebrigtsen, R-Alexandria, to borrow the $10.3 million from the state’s Closed Landfill Investment Fund and repay it in the fall from an anticipated state budget surplus. Ingebrigtsen said legislators have tapped the fund before, noting that last year they took out $3 million for work on the MPCA’s other problem landfill, the Freeway Landfill in Burnsville.

“This was the best way we could come up with to get cash immediately,” Ingebrigtsen said in an interview. “Bonding takes time.” It’s also more expensive, he noted.

The MPCA says that’s an inappropriate use of the fund. The Closed Landfill Investment Fund started in 1999 with money from a solid waste fund and insurance money from settlements with operators. State law says the fund “shall be managed to maximize long-term gain through the State Board of Investment.”

It also says money in the fund can be spent only after fiscal 2020. The MPCA’s plan, said Koudelka, has been to let the fund’s principal grow and use only the investment income to care for closed landfills.
Taking $10.3 million from the fund will cut the principal by nearly 12 percent and reduce the state’s ability to meet future obligations, Koudelka said in a Feb. 13 letter to lawmakers. He estimates that the MPCA will need more than $277 million over the next 30 years to care for all the closed landfills in its keep.

But the landfill pot of money has proved irresistible. It’s still recovering from 2010, when the Legislature took $48 million to plug the state’s budget deficit, only part of which has been repaid.

House Speaker Melissa Hortman, DFL-Brooklyn Park, said she agrees the fund should be off limits. The House is ready, she said, with a bill to issue general obligation bonds for the Andover project — along with all the projects whose funding is tied up in the litigation over using the Environment and Natural Resources Fund.

Hortman said she just hasn’t been able to get the Senate to buy in.

Andover’s Mayor Julie Trude said she’s so frustrated she contacted the governor’s office for help breaking the logjam. She implored the Legislature to “just figure it out.”

“It’s like a decayed tooth that needs a filling,” Trude said. “Delay carries increased risks with increased costs and potentially, unintended consequences.”

**Correction:** Previous versions of this article misstated the first name of Andover Mayor Julie Trude.

**Comments:**

**g2max**
5:03AM
There are actually quite a few residents of Andover near this landfill who depend on well water. I am one of them. It is interesting that none of us were informed that the landfill has been leaking since 2011. It’s just as interesting that the city of Andover has recently proposed to bring city water to my corner of Andover--for over $10K for each house--without mentioning that this might have anything to do with the leaky landfill in our area.

**urbanfringe**
FEBRUARY 27
Hack job of reporting, get the full story. As a north metro resident, I followed this. The Senate Bill provides for repayment of the Closed Landfill Fund with the budget surplus, why was that not identified? The easy answer to my question is for the Strib to make Speaker Hortman look good. The Speaker is willing to bond for the project and pay interest on that, rather than expedite with available funds. This project has been in the mix per the article for 4 years, get it done and quit with the politics.
kadax
FEBRUARY 27
Stop waiting and start doing!

donna2418
FEBRUARY 26
Why is everyone expecting the government to clean it up - get the companies that took the waste there and those that maintained it to pay for it? Also, why did builders put up houses near the dump? Go back to them for clean up money. Then, in the future, all land and home sales should inform buyers of the problem.

rogerb
FEBRUARY 27
Didn't we go through this all in the 1970s? Unbelievable that 40 years later we continue to have the same issues coming up.

TedZeppelin
FEBRUARY 26
Show some respect for the NORTH metro & get it cleaned UP!! If this were in Eden Prairie, it would have been done already....

Just saying!!!

jimmywestone
FEBRUARY 27
I bet it is mostly the republicans in the legislature that don't want to spend the money that are holding this up.

urbanfringe
FEBRUARY 27
Republicans authored the Senate bill and republicans have authors the bills in the House.

zti1967
FEBRUARY 27
Hmmm, no. Its your dems.

ice911
FEBRUARY 26
Leave it for the next generation to deal with it
rshackleford
FEBRUARY 26
This is going to be interesting. If this is the landfill I am thinking of, it is near Andover schools. If it has to be completely removed, the process could take years and students may have to be relocated to other schools (don't want to breathe in the contaminated air which might float towards schools). Tens of thousands of vehicles go through that area every day. And then the 100's of homeowners who live within a stone's throw of the thing. As for aquifer contamination, people in Andover may be 'safe' with their water but not far away is the Ham Lake border and I think everyone there has had their own private wells and pumps for decades.

bzlady4u
FEBRUARY 27
Closest school is Andover elementary which is about 3 miles north. More concerning are the houses to the immediate north and east of this site. People in Andover have a right to be concerned. This clean up project would never be stalled if it were in southwest metro...eden prairie or edina.

dogyard
FEBRUARY 27
I'd say treat it like climate change, label it fake news and do nothing to mitigate the threat.

DeeNice67
FEBRUARY 27
Spot on! I am scared for the people that live nearby and the students at Andover HS. However, It needs to be taken care of asap and some of the money from this project needs to come from business that dumped the waste.

snyde043
FEBRUARY 27
That landfill stopped accepting any hazardous waste in 1974 and was closed completely in 1986. It's very unlikely that any records of what was dumped that may have even been kept at the time are still around to identify which companies dumped waste there. Situations like this are why we have the close landfill program. It would be nice if Senate legislators would listen to the professionals who run the program and follow their advice on how best to fund this work like the House legislators are doing.