

INTRADEPARTMENTAL MEMORANDUM

FILE: Cavalier Transfer Station (0029)

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

THROUGH: Diana A. Trussell, Manager
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SUBJECT: Permit Application Review

DATE: October 15, 2026

Introduction

The North Dakota Department of Environmental Quality (Department) received a permit application for a renewal for the City of Cavalier's transfer station.

The City of Cavalier currently owns and operates a transfer station, regulated under Permit 0029, on approximately 1 acre located in Section 9, Township 161 North, Range 54 West in Pembina County, ND. The City of Cavalier is proposing to renew their permit to continue to operate and transfer municipal solid waste (MSW) for the residents of the City of Cavalier. The facility was first permitted in 1995.

Design

The access road to the facility is composed of a gravel haul road which is maintained by facility personnel. The facility is adjacent to railroad tracks. A locked metal fence surrounds the property. A sign with facility information is posted on the facility property. Access to the facility is controlled by a locked gate, as well as a locked door to access the transfer station building itself. The facility maintains roll-off containers on site for specific wastes such as inert waste, and lumber. The transfer station is a two-stall garage building utilized for transfer of MSW. The transfer station has a tipping area where MSW is dropped off. The facility also utilizes a compost pile which is transferred to the City of Cavalier's inert waste landfill (Permit 0354).

Operation

The facility utilizes an MSW tipping area for waste to be dropped off for transfer to the Mar-Kit Landfill in Hallock, MN. The facility transports approximately 1,100 tons of MSW per year. Inert

waste is collected in a roll-off container and transported to the City of Cavalier's inert waste landfill (Permit 0354). The facility transports approximately 2,700 cubic yards of inert waste for disposal at the City of Cavalier's inert waste landfill (Permit 0354). The facility collects trees and leaves/grass for transport to the City of Cavalier's inert waste landfill. Approximately 1,000 cubic yards of trees and approximately 650 cubic yards of leaves and grass are transported each year to the city of Cavalier's inert waste landfill (Permit 0354). Scrap metal is transported to Russ's Auto and Scrap in Grafton, ND. Electronics and fluorescent bulbs are transferred and recycled/disposed of at Retrofit Environmental in Little Canada, MN.

Closure

When the City of Cavalier's transfer station closes, the city shall post the closing of the facility and the date and time that the transfer station will be closed. All remaining waste will be hauled to an approved permitted landfill. All metal and electronic waste will be hauled to a recycler. Any remaining waste bins will be sold or removed from the site to prohibit illegal dumping. The building and grounds will be cleaned of any excess garbage and kept clean so as to not attract vectors. Gates will remain locked until the building is either repurposed and/or demolished.

Compliance History

The following items of noncompliance have been noted since 2020:

- 2020 Annual Report not received

The above items of noncompliance have been appropriately addressed by the facility, and no formal notices of violations have been issued to the facility.

Solid Waste Management Rules (NDAC Article 33.1-20)

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

A record of notice is not required for transfer stations.

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

A special warranty deed was included with the application showing the transfer of property ownership between Vern's Refuse Service Inc., and the City of Cavalier.

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

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

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

NDAC Subsections 33.1-20-03.1-02(1) – (3)

The application included the form and supporting documents.

NDAC Subsection 33.1-20-03.1-02(4)

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

NDAC Subsection 33.1-20-03.1-02(5)

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

NDAC Subsection 33.1-20-03.1-02(6)

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

a. A completed application form, subsection 1;

A complete application form was included with the application.

b. A description of the anticipated physical and chemical characteristics, estimated amounts, and sources of solid waste to be accepted, including the demonstration required by North Dakota Century Code section 23.1-08-14;

The facility collects approximately 1,100 tons per year of MSW. The facility transfers approximately 2,700 cubic yards of inert waste to the City of Cavalier's inert waste landfill (Permit 0354). Approximately 1,000 cubic yards of trees and 650 cubic yards of leaves and grass are transferred to the City of Cavalier's inert waste landfill (Permit 0354). The facility also collects scrap metal, electronics, and fluorescent bulbs for transfer. The facility provides services to the residents of the City of Cavalier.

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

Waters of the state are not expected to be impacted by this facility as no disposal activities occur at the transfer station. The facility provides procedures for routine maintenance, inspections, and monitoring to ensure no waste material is introduced into the environment. Maps were included with the application that show the facility is located in an area that is not expected to cause harm to human health or environmental health. The facility is located adjacent to the Cavalier Municipal Airport; no vectors are expected to be present at the facility as waste is not stored at the facility in a manner that would attract vectors or insects that would disrupt airport operations.

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

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

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

The facility meets the facility standards and is not expected to violate any water quality or air quality regulations. The facility provides procedures for routine maintenance, inspections, and monitoring to ensure no waste material is introduced into the environment. A permanent sign is posted at the entrance of the facility. Contingency plans are included in the application which address groundwater contamination, fires and other emergencies. All transfer station containers and incoming wastes are visually screened by facility personnel to ensure no prohibited wastes are accepted at the facility.

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

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

The facility is adequately controlled by fences and locked gates. Informative and warning signs are posted around the facility to help facilitate traffic through the transfer station. The facility is adequately controlled and maintained to prevent any pollution, and or nuisances to the environment. The facility has access to communication to emergency responders in case of emergency. The drop box facilities are easily accessible to the residents of Cavalier and provide adequate capacity for eventual transportation and disposal.

2) Waste piles, section 33.1-20-04.1-07.

The facility maintains roll-off containers on site for specific wastes such as inert waste, and lumber. The facility also utilizes a compost pile which is transferred to the City of Cavalier's inert waste landfill (Permit 0354). Inert waste is collected in a roll-off container and transported to the City of Cavalier's inert waste landfill (Permit 0354). The facility transports approximately 2,700 cubic yards of inert waste for disposal at the City of Cavalier's inert waste landfill (Permit 0354). The facility collects trees and leaves/grass for transport to the City of Cavalier's inert waste landfill. Approximately 1,000 cubic yards of trees and approximately 650 cubic yards of leaves and grass are transported each year to the city of Cavalier's inert waste landfill (Permit 0354). Scrap metal is transported to Russ's Auto and Scrap in Grafton, ND. Electronics and fluorescent bulbs are transferred and recycled/disposed of at Retrofit Environmental in Little Canada, MN.

3) Resource recovery, section 33.1-20-04.1-08.

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

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

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

5) Non-CCR surface impoundments, section 33.1-20-04.1-09 and chapter 33.1-20-08.1.

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

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

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

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

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

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

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

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

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

10) TENORM waste landfill, chapters 33.1-20-07.1 or 33.1-20-10 and 33.1-20-11

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

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

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

12) CCR unit, chapter 33.1-20-08;

The requirements of this section are not applicable as the facility is not proposing a CCR unit.

13) Municipal solid waste ash landfills, chapter 33.1-20-10;

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

14) Regulated infectious waste unit, chapter 33.1-20-12;

The requirements of this section are not applicable as the facility is not proposing a regulated infectious waste unit.

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

The plan of operation includes information regarding waste acceptance, handling, inspection procedures, and addresses contingency plans for fires, and explosions. Routine maintenance activities are done in order to minimize odor, spills, dust, and windblown litter at the facility. The site will be inspected daily when it is open to ensure the facility, and equipment is in clean working order, and that no prohibited wastes are accepted at the facility. The facility tracks waste quantities accepted and routinely inspects the transfer station and drop boxes to ensure that full containers are routinely disposed of and provide enough capacity to residents using them. The transfer station building and equipment will be maintained in good condition to conduct such operations. Facility operations are conducted in a manner as to accommodate on-site traffic flow in a safe, and efficient manner.

h. Demonstration of the treatment technology of section 33.1-20-01.1-12;

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

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

The operating record is kept at the City of Cavalier's Administration Office.

j. Demonstration of capability to fulfill the groundwater monitoring, sections 33.1-20-08-06 or 33.1-20-13-02;

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

k. Construction quality assurance and quality control;

The requirements of this section are not applicable as the facility is a transfer station and construction is not anticipated to take place at the facility.

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

When the City of Cavalier's transfer station closes, the city shall post the closing of the facility and the date and time that the transfer station will be closed. All remaining waste will be hauled to an approved permitted landfill. All metal and electronic waste will be hauled to a recycler. Any remaining waste bins will be sold or removed from the site to prohibit illegal dumping. The building and grounds will be cleaned of any excess garbage and kept clean so as to not attract vectors. Gates will remain locked until the building is either repurposed and or demolished.

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

The requirements of this section are not applicable as the facility is a transfer station and postclosure care is not required.

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

A disclosure statement that meets the requirements of this section was submitted to the Department.

Conclusion

Based on the submitted application and items discussed above, the City of Cavalier has shown that the proposed renewal meets the requirements of the North Dakota Solid Waste Management Rules. It is proposed that the Department grant the City of Cavalier a permit with the conditions listed in Permit 0029. The proposed permit length is for a period of 10 years because the facility has a good compliance history.