

INTRADEPARTMENTAL MEMORANDUM

FILE: Harvey Transfer Station (0009)

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

THROUGH: Diana A. Trussell, Manager
Solid Waste Program
Division of Waste Management 

FROM: Rebecca D. Blue, Environmental Scientist
Solid Waste Program
Division of Waste Management 

SUBJECT: Permit Renewal Application Review

DATE: October 1, 2026

Introduction

The North Dakota Department of Environmental Quality received a permit application for renewal of Harvey's City Transfer Station Facility.

The City of Harvey currently owns and operates a transfer station facility, regulated under Permit 0009, on approximately 55 acres in the SW1/4 of Section 28, Township 150 North, Range 72 West in Wells County, ND. The City of Harvey is proposing to renew their transfer station permit to continue operations. The facility was first permitted in 1995.

Design

The transfer station is located northeast of the City of Harvey along 32nd Ave NE. The Sheyenne River is approximately 0.2 miles north of the facility and the City of Harvey's lagoons are located directly south of the transfer station. Wetlands can be found adjacent to portions of the facility boundary. The transfer station is currently inactive, however, municipal solid waste (MSW) handled at the facility would be temporarily stored in transfer containers before being transported to a permitted disposal facility. FEMA mapping shows that majority of the facility is located within a minimal flood hazard zone, while limited areas along the facility boundary are located within the 0.2% annual chance of flood hazard area. These flood areas are outside the primary operational portions of the transfer station and operations of the transfer station are not expected to negatively impact nearby surface water resources.

A review of nearby wells located two municipal wells and one livestock well within one mile of the facility boundary. The livestock well can be found across the Sheyenne River; no domestic wells are located within one mile of the facility. Geologic records for the City of Harvey show that the uppermost aquifer is estimated to be found approximately 20 to 40 feet below ground

surface, which consists primarily of glacial outwash and alluvial deposits. Groundwater flow in the area is anticipated to follow local topography towards nearby surface water like the Sheyenne River. The hydraulic characteristics of the uppermost aquifer, including porosity, hydraulic conductivity and groundwater storage, are consistent with unconsolidated glacial sediments found in the region. Currently, there is little risk of groundwater contamination because the transfer station is designed only for temporary storage and transfer of MSW prior to transport to the WM – McDaniel Landfill (Permit 0326). The potential for impacts to groundwater or surface water is considered low because waste would remain on site for only short periods of time.

Operation

The City of Harvey is not currently operating the transfer station; however, the facility remains permitted for the temporary storage and transfer of MSW in accordance with the existing permit. The facility has a sign posted at the entrance gate which states the name of the facility's owner and contact information, permit number, acceptance wastes, and days and hours of operation. Access is restricted to the hours of operation and security at the facility is maintained to control scavenging, vandalism and theft. The facility accepts: municipal solid waste, plastics, glass, metal, furniture, non-hazardous construction and demolition debris, non-freon appliances and white goods from residents and commercial activities generated in the City of Harvey. Prohibited waste include hazardous waste, liquid waste, petroleum contaminated soils, used oil, solvents, paints, pesticides, chemicals, biomedical, radioactive materials, asbestos, sewage sludge, septage, batteries, freon-containing appliances, explosives, ammunition, compressed gas cylinders, animal carcasses, unrinsed pesticide containers and sludges.

Waste handled at the transfer station is strictly limited to MSW, inert waste and recyclable materials generated within the City of Harvey and collected by city-owned garbage trucks or by authorized waste haulers. Residential and commercial waste is collected throughout the community and transported directly to the transfer station, where it is temporarily unloaded into roll-off containers or transfer trailers. The transfer station tipping area is managed to provide protection from wind, rain and snow, to prevent stormwater intrusion and maintain safe, dry and controlled waste handling conditions during operations. Once containers are filled, they are hauled either by Waste Management or city personnel to the WM – McDaniel Landfill (Permit 0326) located southwest of Velva, ND for final disposal. Historically, the transfer station accepts approximately 1,700 tons of MSW annually, although the facility is not currently operating its transfer station, the City of Harvey maintains the permit for potential future use.

All incoming loads are visually inspected by city personnel at the time of delivery to ensure only acceptable waste is received, and any prohibited materials are rejected or isolated for proper disposal at an approved facility. Waste handling consists of direct unloading into enclosed roll-off containers or transfer trailers which maintain site cleanliness and minimizes exposure of waste to the environment. The transfer station is accessed through a controlled gated entrance shared with the landfill site, and access is restricted to authorized city personnel and waste haulers, with scavenging strictly prohibited. The site is maintained using existing infrastructure, with fencing and vegetation used where available to assist with access control and visual screening. Operations are conducted in a manner that ensures safe, efficient, and sanitary handling of waste while minimizing environmental and nuisance impacts. All weather access roads are provided to support safe vehicle movement under varying conditions. All operational practices are implemented to minimize noise, dust, and odors, including water application to active areas during dry and windy conditions. Access roads are maintained by the facility using gravel on high traffic surfaces within the site to limit vehicle speeds. The potential for vectors

such as birds, rodents and insects is minimal as waste is placed into sealed transferable containers and routinely removed to WM – McDaniel Landfill. Surface water and groundwater are protected by preventing prolonged exposure of waste to precipitation and eliminating on-site equipment washdown activities. No equipment cleaning occurs at the transfer station.

The facility maintains fire extinguishers and equipment in the cold storage shed, for use against small fires. If fires cannot be contained, the City of Harvey Fire Department will respond to the site. Open burning is prohibited except as allowed under North Dakota Administrative Code (NDAC) Article 33.1-15. The transfer station does not conduct any burning. Stormwater at the landfill currently flows overland to the southeast towards an existing ditch and wetland basin and there are currently no issues with stormwater management such as erosion, ponding or flooding. Stormwater issues noted at the site will be corrected by constructing a perimeter berm around the active landfill area to help contain surface runoff and direct stormwater away from waste piles. A trench or stormwater pond might be constructed along the interior of the berm to temporarily hold collected runoff. If need be, the accumulated stormwater in these areas could be pumped into the city's lagoon system for proper management and treatment. The facility will not discharge pollutants into the waters of the state unless the discharge is compliant with the North Dakota Pollutants Discharge Elimination System (NDPDES) pursuant to NDAC Chapter 33.1-16-01. Dust control is managed by applying water to active areas, additional dust control measures may include using gravel on high-traffic areas. All litter or windblown trash will be returned to their disposal units as soon as practical. The facility may not violate the ambient air quality standard (odor rules) as set forth in NDAC Article 33.1-15. The facility operator ensures that all persons involved with the facility operation are knowledgeable of state waste management rules and regulations, the contents of the plan, and any specific issues concerning facility compliance. Operators are fitted with protective clothing such as steel-toed boots and leather gloves to ensure proper health and safety of city employees. The facility conducts monthly inspections when transfer station is in operation, all inspections are documented using an inspection log, with records maintained by the city to ensure compliance with the Department's rules. The City of Harvey maintains an operating record consisting of a copy of each application, plan, report, notice, drawing, inspection log, test result or other documents required by the rules. The operating record will be kept at the Harvey City Hall; 120 8th St. E, Harvey, ND 58341 and will be available for review upon request. The facility has an estimated life of 30-50 years before closure, and an annual report will be submitted to the NDDEQ by March 1st of each year.

Closure

Upon closure of the Harvey Transfer Station, all remaining MSW, transfer containers, and any associated debris will be removed from the site and transported to a permitted disposal facility, such as WM – McDaniel Landfill (Permit 0326) or an appropriate recycling facility as applicable. The site will be thoroughly cleared to ensure no waste materials remain on the property, and any residual materials will be handled in accordance with the Department's requirements. Following removal activities, the transfer station area will be graded and stabilized as needed to restore the site to a clean and orderly condition. Municipal equipment available to the City of Harvey will be used to complete closure activities such as loaders, excavators, dump trucks and graders. These resources will be used to remove containers and waste, load and haul materials off-site, and perform any necessary final grading and site restoration. The city will also utilize personnel experienced in waste handling operations to ensure proper cleanup, safe handling of materials, and compliance with all applicable solid waste regulations during the closure process.

Post closure activities will focus on maintaining site integrity rather than landfill-related monitoring, as the transfer station does not involve permanent waste disposal. Following the first year of closure, the City will inspect the facility at least monthly to identify any issues such as erosion, inadequate drainage, or deterioration of the site surface. If any deficiencies are observed, the city will implement corrective actions such as regarding repairing drainage features or stabilizing disturbed areas as needed. Inspection will continue on a bi-monthly basis after the initial year, for a period of five years, with ongoing maintenance performed as needed to ensure the site remains stable, well-drained and in compliance with the Department's requirements under NDAC Sections 33.1-20-05.1-04 and 33.1-20-05.1-05.

Compliance History

No items of noncompliance have been noted since the previous permit was issued in 2015, and no formal notices of violation 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.

The City of Harvey owns the property and there are no easements. Copy of the deed was included with the permit application.

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

A preapplication is not required for transfer stations.

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

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

An electronic and hard copy of the permit application and supporting documents was submitted to the Department. The permit application form (SFN 19269) was complete. The form was signed by Public Works Director Jamey Weinmann, Landfill Operator Matt Pratt, City Auditor Karen Nordby and Professional Engineer Joshua Feil (PE-28801).

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;

An electronic copy of the permit application and supporting documents was submitted to the Department. The permit application form (SFN 19269) was complete. The form was signed by Public Works Director Jamey Weinmann, Landfill Operator Matt Pratt, City Auditor Karen Nordby and Professional Engineer Joshua Feil (PE-28801)

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;

Before the transfer station became inactive, it was used for the collection of MSW that was then transferred to the WM – McDaniel Landfill (Permit 0326). The transfer station served the residents of the City of Harvey and approximately 1,700 tons of MSW were accepted annually.

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;

The Sheyenne River is approximately 0.2 miles north of the facility and the City of Harvey's lagoons is located directly south of the transfer station. To add, wetlands can be found adjacent to portions of the facility boundary, currently the transfer station is inactive. However, MSW handled at the facility would be temporarily stored in transfer containers before being transported to a permitted disposal facility. FEMA mapping shows that majority of the facility is located within a minimal flood hazard zone, while limited areas along the facility boundary are located within the 0.2% annual chance of flood hazard area. These flood areas are outside the primary operational portions of the transfer station and operations of the transfer station are not expected to negatively impact nearby surface water resources.

A review of nearby wells located two municipal wells and one livestock well within one mile of the facility boundary. The livestock well can be found across the Sheyenne River; no domestic wells are located within one mile of the facility. Geologic records for the City of Harvey show that the uppermost aquifer is estimated to be found approximately 20 to 40 feet below ground surface. It consists primarily of glacial outwash and alluvial deposits. Groundwater flow in the area is anticipated to follow local topography towards nearby surface water like the Sheyenne River. The hydraulic characteristics of the uppermost aquifer, including porosity, hydraulic conductivity and groundwater storage, are consistent with unconsolidated glacial sediments found in the region. Currently, there is no groundwater contamination because the transfer station is designed only for temporary storage and transfer of municipal solid waste prior to transport to WM – McDaniel Landfill (Permit 0326). The potential for impacts to groundwater or surface water is

considered low because waste would remain on site for only short periods of time.

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;

A sign is posted at the facility entrance and according to the plan of operations, the sign contains the name of the facility's owner and contact information, permit number, acceptable waste, days/hours of operation, and restrictions on scavenging and vandalism and theft.

The facility maintains fire extinguishers and equipment in the cold storage shed, for use against small fires. If fires cannot be contained, the City of Harvey Fire Department will respond to the site. Open burning is prohibited except as allowed under NDAC Article 33.1-15. The transfer station does not conduct any burning. Stormwater at the landfill currently flows overland to the southeast towards an existing ditch and wetland basin and there are currently no issues with stormwater management such as erosion, ponding or flooding. Stormwater issues noted at the site will be corrected by constructing a perimeter berm around the active landfill area to help contain surface runoff and direct stormwater away from waste piles. The facility will not discharge pollutants into the waters of the state unless the discharge is compliant with the NDPDES permit pursuant to NDAC Chapter 33.1-16-01. Dust control is managed by applying water to active areas, additional dust control measures may include using gravel on high-traffic areas. All litter or windblown trash will be returned to their disposal units as soon as practical. The facility may not violate the ambient air quality standard (odor rules) as set in NDAC Article 33.1-15. The facility conducts monthly inspections when transfer station is in operation, all inspections are documented using an inspection log, with records maintained by the city to ensure compliance with the Department's rules. The City of Harvey maintains an operating record consisting of a copy of each application, plan, report, notice, drawing, inspection log, test result or tother document required by the rules. The operating record will be kept at the Harvey City Hall; 120 8th St. E, Harvey, ND 58341 and will be available for review upon request. The facility has an estimated life of 30-50 years before closure, an annual report will be submitted to the Department by March 1st of each year.

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 City of Harvey is not currently operating the transfer station; however, the City of Harvey maintains the permit to preserve the option for future use. Waste handled at the Harvey Transfer Station is strictly limited to MSW, inert waste and recyclable materials generated within the City of Harvey and collected by city-owned garbage trucks or by authorized waste haulers. Residential and commercial waste is collected throughout the community and transported directly to the transfer station, where it is temporarily unloaded into roll-off containers or transfer trailers. The transfer station is accessed through a controlled gated entrance shared with the landfill site, and access is restricted to authorized city personnel and waste haulers, with scavenging strictly prohibited.

The transfer station building is sturdy and constructed of easily cleanable material. The site is maintained using existing infrastructure, with fencing and vegetation used where available to assist with access control and visual screening. The transfer station tipping area is managed to provide protection from wind, rain and snow to prevent stormwater intrusion and maintain safe, dry and controlled waste handling conditions during operations. Once containers are filled, they are hauled either by Waste Management or city personnel to the WM – McDaniel Landfill (Permit 0326) located southwest of Velva, ND for final disposal. Waste handling consists of direct unloading into enclosed roll-off containers or transfer trailers which maintain site cleanliness and minimizes exposure of waste to the environment. Operations are conducted in a manner that ensures safe, efficient, and sanitary handling of waste while minimizing environmental and nuisance impacts. All weather access roads are provided to support safe vehicle movement under varying conditions. Operational practices are implemented to minimize noise, dust, and odors, including water application to active areas during dry and windy conditions.

Access roads are maintained by the facility using gravel on high traffic surfaces within the site to limit vehicle speeds. The potential for vectors such as birds, rodents and insects is minimal as waste is placed into sealed transferable containers and routinely removed to WM – McDaniel Landfill (Permit 0326). To add, surface and groundwater is protected by preventing prolonged exposure of waste to precipitation and eliminating on-site equipment washdown activities, no equipment cleaning occurs at the transfer station.

Dust control is managed by applying water to active areas, additional dust control measures may include using gravel on high-traffic areas. All litter or windblown trash will be returned to their disposal units as soon as practical. The facility may not violate the ambient air quality standard (odor rules) as set in NDAC Article 33.1-15. The facility conducts monthly inspections

when transfer station is in operation, all inspections are documented using an inspection log, with records maintained by the city to ensure compliance with the Department's rules. Upon closure of the Harvey Transfer Station, all remaining MSW, transfer containers, and any associated debris will be removed from the site and transported to a permitted disposal facility, such as WM – McDaniel Landfill (Permit 0326) or an appropriate recycling facility as applicable. The site will be thoroughly cleared to ensure no waste materials remain on the property and any residual materials will be handled in accordance with the Department's requirements. Following removal activities, the transfer station area will be graded and stabilized as needed to restore the site to a clean and orderly condition.

The City of Harvey maintains an operating record consisting of a copy of each application, plan, report, notice, drawing, inspection log, test result or tother document required by the rules. The operating record will be kept at the Harvey City Hall; 120 8th St. E, Harvey, ND 58341 and will be available for review upon request. The facility has an estimated life of 30-50 years before closure, an annual report will be submitted to the Department by March 1st of each year.

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

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

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) 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.

13) 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;

Waste handled at the Harvey Transfer Station is strictly limited to MSW, inert waste and recyclable materials generated within the City of Harvey and collected by city-owned garbage trucks or by authorized waste haulers. Residential and commercial waste is collected throughout the community and transported directly to the transfer station, where it is temporarily unloaded into roll-off containers or transfer trailers. Once containers are filled, they are hauled either by Waste Management or city personnel to the WM – McDaniel Landfill (Permit 0326) located southwest of Velva, ND for final disposal. Historically, the transfer station accepts approximately 1,700 tons of MSW annually, although the facility is not currently operating its transfer station, the City of Harvey maintains the permit for potential future use. All incoming loads are visually inspected by city personnel at the time of delivery to ensure only acceptable waste is received, and any prohibited materials are rejected

or isolated for proper disposal at an approved facility. Waste handling consists of direct unloading into enclosed roll-off containers or transfer trailers which maintain site cleanliness and minimizes exposure of waste to the environment. Operations are conducted in a manner that ensures safe, efficient, and sanitary handling of waste while minimizing environmental and nuisance impacts. Operational practices are implemented to minimize noise, dust, and odors, including water application to active areas during dry and windy conditions. All weather access roads are provided to support safe vehicle movement under varying conditions. Access roads are maintained by the facility by using gravel on high traffic surfaces within the site to limit vehicle speeds. The potential for vectors such as birds, rodents and insects is minimal as waste is placed into sealed transferable containers and routinely removed to WM – McDaniel Landfill (Permit 0326). Surface water and groundwater is protected by preventing prolonged exposure of waste to precipitation and eliminating on-site equipment washdown activities, no equipment cleaning occurs at the transfer station.

The facility maintains fire extinguishers and equipment in the cold storage shed, for use against small fires. If fires cannot be contained, the City of Harvey Fire Department will respond to the site. Open burning is prohibited except as allowed under NDAC Article 33.1-15. The transfer station does not conduct any burning. Stormwater at the landfill currently flows overland to the southeast towards an existing ditch and wetland basin and there are currently no issues with stormwater management such as erosion, ponding or flooding. Stormwater issues noted at the site will be corrected by constructing a perimeter berm around the active landfill area to help contain surface runoff and direct stormwater away from waste piles. A trench or stormwater pond might be constructed along the interior of the berm to temporarily hold collected runoff. If need be, the accumulated stormwater in these areas could be pumped into the city's lagoon system for proper management and treatment. The facility will not discharge pollutants into the waters of the state unless the discharge is compliant with the NDPDES permit pursuant to NDAC Chapter 33.1-16-01. Dust control is managed by applying water to active areas, additional dust control measures may include using gravel on high-traffic areas. All litter or windblown trash will be returned to their disposal units as soon as practical. The facility may not violate the ambient air quality standard (odor rules) as set forth in NDAC Article 33.1-15. The facility operator ensures that all persons involved with the facility operation are knowledgeable of state waste management rules and regulations, the contents of the plan, and any specific issues concerning facility compliance. Operators are fitted with steel-toed boots and leather gloves to ensure proper health and safety of city employees. The facility conducts monthly inspections when transfer station is in operation, all inspections are documented using an inspection log, with records maintained by the city to ensure compliance with the Department's rules. The City of Harvey maintains an operating record consisting of a copy of each application, plan, report, notice, drawing, inspection log, test result or tother document required by the rules. The operating record will be kept at the Harvey City Hall; 120 8th St. E, Harvey, ND 58341 and will be available for review upon request from the city. The facility has an estimated life of 30-50

years before closure, an annual report will be submitted to the Department by March 1st of each year.

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 will be kept at the Harvey City Hall; 120 8th St. E, Harvey, ND 58341.

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;

This section is not applicable to the existing transfer station.

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

Upon closure of the Harvey Transfer Station, all remaining MSW, transfer containers, and any associated debris will be removed from the site and transported to a permitted disposal facility, such as WM – McDaniel Landfill (Permit 0326) or an appropriate recycling facility as applicable. The site will be thoroughly cleared to ensure no waste materials remain on the property and any residual materials will be handled in accordance with Department requirements. Following removal activities, the transfer station area will be graded and stabilized as needed to restore the site to a clean and orderly condition. Municipal equipment available to the City of Harvey will be used to complete closure activities such as loaders, excavators, dump trucks and graders. These resources will be used to remove containers and waste, load and haul materials off-site, and perform any necessary final grading and site restoration. The city will also utilize personnel experienced in waste handling operations to ensure proper cleanup, safe handling of materials, and compliance with all applicable solid waste regulations during the closure process.

Post closure activities will focus on maintaining site integrity rather than landfill-related monitoring, as the transfer station does not involve permanent waste disposal. Following the first year of closure, the city will inspect the facility at least monthly to identify any issues such as erosion, inadequate drainage, or deterioration of the site surface. If any deficiencies are observed, the city will implement corrective actions such as regarding

repairing drainage features or stabilizing disturbed areas as needed. Inspections will continue on a bi-monthly basis after the initial year, for a period of five years, with ongoing maintenance performed as needed to ensure the site remains stable, well-drained and in compliance with the Department's requirements under NDAC Sections 33.1-20-05.1-04 and 33.1-20-05.1-05.

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 included in the permit application form.

Conclusion

Based on the submitted application and items discussed above, the City of Harvey has shown that the renewal meets the requirements of the North Dakota Solid Waste Management Rules. It is proposed that the Department grant the City of Harvey a permit with the conditions listed in Permit 0009. The proposed permit length is for a period of 10 years as the facility has a good compliance record and the facility is currently inactive.

CRH:DAT:RB