



# Farmsteads & solid waste

## Demolition/farm disposal of solid waste

Barns and other agricultural buildings on farm properties are being removed for reasons including the condition of the structure and to open up land for farming. There are specific requirements that must be followed when these buildings are demolished. Procedures are described below and include:

1. Removal of prohibited materials
2. Conducting an asbestos survey
3. Submitting A "Notification of Intent to Perform a Demolition"
4. Proper disposal

## Removal of prohibited materials

All demolition activities must comply with Minn. R. 7035.0805. The purpose of this rule is to ensure that hazardous materials or items are removed, characterized, and recycled or properly disposed of prior to demolition/renovation activities. The rule requires the removal of a variety of materials including household hazardous waste such as paint and household cleaning products, furniture, tires, appliances, fluorescent lighting, mercury containing devices such as thermostats, items that contain polychlorinated biphenyls (PCB's), and other solid waste.

## Conducting an asbestos survey

All federally regulated asbestos NESHAP (regulated) projects must have an asbestos survey done by a Minnesota Department of Health (MDH) licensed inspector. All Regulated Asbestos Containing Material (RACM) must be removed. Demolition of a farmstead, including outbuildings and barns, is considered a regulated project. There are two exceptions to the survey requirement:

1. A survey is not required on a building that has collapsed naturally or fallen due to an "act of God".
2. Demolition of a single family home with no other buildings.

If you are demolishing a house along with other buildings, all the buildings are considered regulated. For more about regulated ACM contact MDH at 651-201-4620.

## Submitting a Notification of Intent to Perform a Demolition

The property owner or contractor removing the structure(s) must complete a Notification of Intent to Perform a Demolition. The notification must be postmarked or received at the Minnesota Pollution Control Agency (MPCA) at least 10 working days before demolition begins and is required for all regulated projects. The notification form can be found at the following link:

<https://www.pca.state.mn.us/sites/default/files/w-sw4-21.pdf>

## Disposal

Materials and debris from the buildings must be hauled to a demolition landfill, transfer station or, in some cases, a municipal solid waste landfill. Materials, such as uncontaminated barn wood, may be removed for reuse.

Burial of demolition debris is allowed if a Demolition Debris Disposal Facility Permit-By-Rule is first obtained from the MPCA. The only exception applies to the burial of clean concrete and other material as defined in the farm exception below.

## **Burning (Minn. Stat. § 88.171)**

Burning of a structure is only allowed in a legitimate fire training burn conducted by a fire department. Otherwise, burning solid waste and demolition debris is prohibited. Prohibited burning of solid waste or demolition debris will likely result in a financial penalty and you will be required to dispose of the unburned waste and ash at a permitted facility, likely costing more than if you had not burned the waste.

## **Farm disposal of solid waste (Minn. Stat. § 17.135)**

- Except under sections Minn. Stat. § 88.16, Minn. Stat. § 88.17, and Minn. Stat. § 88.22, this statute allows owners and operators of land used for farming to bury and/or burn without a permit, (1) solid waste generated from the person's household or as part of the person's farming operation; or (2) concrete or reinforcing bar from a building or structure located on the land used for farming.
- The exception does not apply if regularly scheduled pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the county board of the county where the person's farm is located.
- Prohibited materials cannot be burned. This includes demolition debris, rubber, tires, plastics (except plastic baling twine), household hazardous waste, appliances, batteries, railroad ties, treated lumber, composite shingles, tar paper, insulation, composition board, sheetrock, wiring, paint, oils or similar materials. For example, furniture that is made of composition board or is painted or treated is a prohibited material.
- Within 90 days after completion of the burial of concrete or reinforcing bar, an owner of land used for farming shall record with the county in which the land is located, an affidavit containing a legal description of the property and a map drawn from available information showing the boundary of the property and the location of concrete or reinforcing bar buried on the property.

## **MPCA regional contacts**

**Northeast Minnesota:** Lee Fields 201-302-6609; *Aitkin, Carlton, Cook, Lake Itasca, Koochiching, and St. Louis Counties, and Western Lake Superior Sanitary District, Benton, Cass, Crow Wing, Kanabec, Mille Lacs, Morrison, Pine, and Sherburne counties.*

**Northwest Minnesota:** Jon Buck 218-846-8109; *Beltrami, Becker, Clay, Clearwater, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Otter Tail, Pennington, Polk, Pope, Red Lake, Roseau, Stevens, Todd, Traverse, Wadena, and Wilkin Counties.*

**Metro District:** Scott Parr 651-757-2638, Shelly Siewert 651-757-2723; *Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Washington, and Wright Counties*

**Southeast Minnesota:** Jake Brady 507-206-2646; *Blue Earth, Brown, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Le Sueur, Martin, Mower, Nicollet, Olmsted, Rice, Sibley, Steele, Wabasha, Waseca, Watonwan, and Winona Counties*

**Southwest Minnesota:** Vacant; *Big Stone, Chippewa, Cottonwood, Jackson, Kandiyohi, Lac Qui Parle, Lincoln, Lyon, McLeod, Meeker, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Swift, and Yellow Medicine Counties*