

Disposal of uncontaminated concrete: General permit application

Solid Waste Permit Program

Doc Type: Permit application

<i>For MPCA use only.</i>	
GCB Identification number:	

[Instructions found on page 3.](#)
Return completed form to:

Solid Waste Permit Document Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

I. Disposal location information (Please include a map showing the burial site location.)

Name of burial location landowner: _____

Address: _____

City: _____ State: MN Zip: _____

Township name: _____ County: _____

_____ Acres _____ ¼ _____ ¼ _____ ¼ _____ ¼ Section _____ T _____ N R _____ W

Latitude: _____ Deg _____ Min _____ Sec North

Longitude: _____ Deg _____ Min _____ Sec West

Anticipated amount of waste to be disposed of (in cubic yards only): _____

Origin of waste (i.e., foundation, pool, manure basin, etc.): _____

Activity start date (mm/dd/yyyy): _____ Activity end date (mm/dd/yyyy): _____

II. Disposal location certification (Bolded terms are defined in the [Instructions found on page 3.](#))

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment. Noncompliance with this permit may result in the revocation of this permit and penalties.

I further certify that the construction and operation of the above-described site will be in accordance with the conditions of the Minnesota Pollution Control Agency (MPCA) *General Permit Authorization to Dispose of Uncontaminated Concrete*. In particular:

- | | |
|---|--|
| A. I certify that the concrete has been adequately characterized . | ☐ Yes ☐ No |
| B. I certify that the concrete meets the definition of uncontaminated . | ☐ Yes ☐ No |
| C. I certify that the concrete originated on the site to be used for disposal. | ☐ Yes ☐ No |
| D. I certify that the concrete does not exceed 2,500 cubic yards. | ☐ Yes ☐ No |
| E. I certify that the disposal location is not located within a shoreland, scenic river, in an area with karst features, or floodplain areas. | ☐ Yes ☐ No |
| F. I certify that the disposal location is not located within a wetland, unless MPCA approval has been obtained to leave the uncontaminated concrete in-place to preserve the integrity of the wetland. | ☐ Yes ☐ No |

G. I certify that I will complete the following within ninety (90) days following burial. ☐ Yes ☐ No

1. Record with the county recorder of the county in which the site is located the location of the **uncontaminated concrete** disposal site, using the *Affidavit Regarding Disposal of Uncontaminated Concrete* provided on the MPCA's webpage.
2. Provide a copy of the deed notification to the County Solid Waste official and the MPCA, as required by Part 3.1.29 of the permit.

H. I certify that the depth of final cover, at a minimum, will be two-feet thick. ☐ Yes ☐ No
(The top 12 inches of soil suitable for sustaining vegetative growth.)

1. If applicable, take actions to enable drainage through and cover the **uncontaminated concrete**, in accordance with Part 3.1.26 of the permit.

I. I certify that the final cover will be sloped. (Minimum 2%; Maximum 20%) ☐ Yes ☐ No

J. I certify that I will pay the solid waste management tax. ☐ Yes ☐ No

Landowner

Signature: _____ Date (mm/dd/yyyy): _____

Print name: _____ Phone: _____

Title: _____

Email: _____

Address: _____

City: _____ State: MN Zip: _____

III. Local government approval (Completed by city, township, or county solid waste staff.)

Solid waste authorized representative

Signature: _____ Date (mm/dd/yyyy): _____

Print name: _____ Phone: _____

Title: _____

Email: _____

Address: _____

City: _____ State: MN Zip: _____

Comments:

Instructions

Eligibility

To dispose of concrete under this permit, the following criteria must be met (**bold** terms are defined):

1. The concrete proposed for disposal must be **adequately characterized**.
2. Only **uncontaminated concrete** that originates on the **site** used for disposal may be disposed under this permit.
3. The amount of **uncontaminated concrete** may not exceed 2,500 cubic yards.
4. The disposal **site** must be approved by a **County Solid Waste official** prior to use.
5. The **site** must not be located within a **floodplain, shoreland, or wild and scenic river land use district**.
6. The **site** must not be located within a **wetland** unless MPCA approval has been received for the **uncontaminated concrete** to be left in-place to preserve the integrity of the wetland.
7. A *Demolition/Renovation notification form* must be filed with the MPCA at least ten working days prior to the start of demolition.

Farm exemption

Minnesota statutes state a permit is not required from a state agency (except for fires, which require an open burning permit) for a person who owns or operates land used for farming that buries concrete or reinforcing bar from a building or structure located on the land used for farming. If you qualify for this exemption, you do not need to submit this form.

Definitions:

Adequately characterized: The landowner(s) has/have conducted a visual inspection of the concrete proposed for disposal. Any areas that have visible contamination (i.e., staining) or areas where the owner(s) is/are aware that the concrete has been in contact with petroleum products or hazardous substances must be analyzed by an accredited laboratory.

Commissioner: The commissioner of the MPCA or delegated staff.

Concrete: Concrete, concrete block, concrete slabs, concrete forms, including metal and other materials embedded in the concrete, that has been used in architectural applications (such as slabs, foundations, walls) and engineering applications (such as pipes, culverts, vessels and basins, and tower supports). Concrete does not include concrete washout or excess concrete that requires disposal at the time of construction.

County Solid Waste Official: The county employee(s) responsible for oversight of solid waste management within the county in which the site is located. This is usually the Solid Waste Administrator/official.

Floodplain: Any land that is subject to a one percent or greater chance of flooding in any given year from any source.

Landowner(s): The person(s) who hold fee title to the property where the concrete is located and will be disposed under this permit.

Permittee(s): The landowner(s) who has obtained coverage under this permit.

Shoreland: The land located within the following distances from public water: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a flood plain designated by ordinance on a river or stream; whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Minnesota Department of Natural Resources (DNR) Commissioner.

Site: The location where the concrete originated and where disposal is to occur. This includes all contiguous land and structures, other appurtenances, and improvements on the land used for the disposal of solid waste.

Structure: Includes buildings as described in Minn. R. 7035.0805, subp. 2, item B; and also towers, vessels and basins, and pipes.

Uncontaminated concrete: Adequately characterized concrete and rebar contained within that does not contain, or have on it, any material that may potentially be harmful to human health and the environment including any form of hazardous waste or petroleum products, or asbestos-containing material (mastic). Concrete coated with lead-based paint does not meet the definition of "uncontaminated concrete", but concrete that has been coated with a non-toxic paint does meet the definition of "uncontaminated concrete."

Wetland: A surface water feature classified as a wetland in the publication entitled "Classification of Wetlands and Deep Water Habitats of the United States," written and published by the United States Fish and Wildlife Service Biological Services Program, FWS 035-71/31, December 1979, which is incorporated by reference. The publication is not subject to frequent change.

Wild and Scenic River Land Use District: Areas that are located within the Kettle River, Mississippi River, North Fork of the Crow River, Minnesota River, Rum River, Cannon River, and Saint Croix River land use districts, as governed by Minn. R. 6105 and Minn. R. 6120. The Permittee(s) must verify boundaries of wild and scenic river districts with the local zoning authority or the DNR to determine if the disposal location is located within a wild and scenic river land use district.

Section 1 – Disposal location information

List the name of the landowner and their mailing address. In describing the disposal location, include the township name and county where the burial site is located, the number of acres disturbed, either the GPS coordinates or the latitude/longitude for the burial location, and a map of the burial location.

Section 2 – Disposal location certification

Read all of the certification statements carefully and check yes or no as appropriate for your proposed disposal activity. For the application to be processed, your signature and the form must be completed in full (and legibly). If you do not have an email account, please indicate that on the form.

Please note that item G.1. of this section requires you to certify that you will submit an Affidavit using the form provided on the Minnesota Pollution Control Agency's webpage. See 'When You're Done' Section at the end of the instructions.

Please also note that item H. of this section is certification that final cover on the disposal site is at least two feet thick, with 12 inches of soil suitable for vegetative growth. You are expected to seed this, not let it reseed naturally. Item H.1. of this section requires you to certify that you took action to enable drainage through the buried concrete. This would apply to situations where a manure pit, basement, or swimming pool was being buried. These actions are to ensure water is not trapped in the buried structure.

Item J. is a statement that you certify you will pay the solid waste management tax. You will receive an invoice from the Minnesota Department of Revenue (DOR) for this after submittal of the deed notification to the MPCA.

Section 3 – Local government approval

This section must be completed by a County Solid Waste Official. You may also need to contact your local planning and zoning staff also to ensure the proposed burial is allowed.

MPCA contacts: If you have any questions, please use the most up to date regional contact(s) on the MPCA's Waste and Recycling webpage at: <https://www.pca.state.mn.us/business-with-us/waste-and-recycling> or contact Joseph Miller, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194; joseph.p.miller@state.mn.us; 651-757-2310.

When you are done

- The Affidavit should be completed upon closing of your site and can be found on the MPCA's webpage under the concrete disposal general permit section. The top section is for the County record stamp. Please list the County where the Affidavit is **signed**. The "Affiant" is the owner or signing party.
- For #1, either check that you are the owner of the property, or if the property is owned by a business (second check box) complete the lines as follows: The – (put your title, e.g., CEO). Of – (business entity legal name. A – (type of entity, e.g., corporation or LLC). Under the laws of – (state in which you are incorporated).
- For #2 fill in the county where the property is **located**. Then provide the legal description for the parcel where concrete is buried. The county should be able to tell you if they use Abstract or Torrens.
- For #3 fill in the cubic yards of concrete that was buried on the property (this will be supplied to the DOR, who will send you an invoice for the Solid Waste Management Tax that is due). Your Solid Waste Permit No. is listed in the *Notice of Coverage* (starts with GCP). Finally, include the GPS coordinates where the concrete is buried.
- Item #4 is for optional use to provide a more precise location of where the concrete is buried.
- **You must sign under AFFIANT in the presence of a notary.** Make sure the notary fills in the date upon which their commission expires.
- The final page is available for use to draw a map to further clarify where the concrete has been buried.
- After the disposal is complete and the Affidavit is filed with the county, you must submit a *Notice of Termination* to terminate your coverage. Terminations are done using an online service on the MPCA webpage. The e-Services can be found at <https://www.pca.state.mn.us/data/e-services>. There are instructions and guidance documents available on the page to assist you. Submittal of the *Notice of Termination* will notify MPCA staff of your request and begin the termination process. Staff will contact to you submit the physical Affidavit.