

HAZARDOUS MATERIALS

Prior to any demolition of a non-residential farm structure, you will first need to do an asbestos survey. Farm buildings are covered under the federal National Emission Standard for Hazardous Air Pollutants (NESHAP). Owners are required to get an asbestos survey done by a licensed inspector, and, if necessary, an asbestos abatement by a licensed asbestos abatement contractor.

They must also complete a 10-day notice form. The “notice to perform a demolition” form is available on the MPCA website, www.pca.state.mn.us.

In addition to asbestos, there are other materials that may be in a structure that will need to be removed and disposed of or recycled prior to demolition including:

1. plastics;
2. wiring;
3. appliances and electronics;
4. tires;
5. mattresses;
6. all household batteries;
7. lead acid batteries;
8. motor oil and filters;
9. all hazardous wastes;
10. agricultural pesticides and their empty containers.

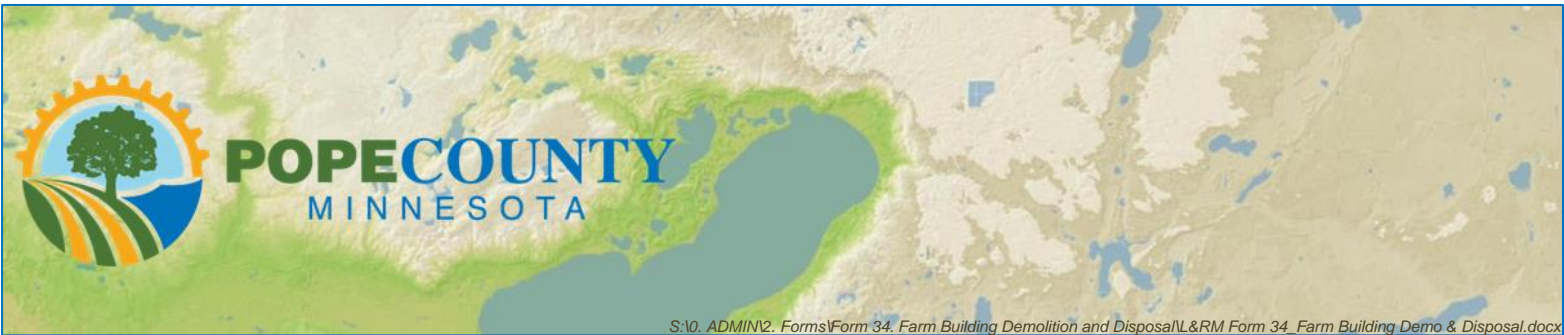
DISPOSAL

Option 1: Haul materials to a permitted Construction/Demolition landfill site

Option 2: Onsite burial

Onsite burial is allowable in some areas, and under certain circumstances, which includes demolition debris from the removal of farm buildings which can be buried on land used for farming. This is known as the farm exemption (Minnesota Statute 17.135). However, there are limitations and further requirements to be mindful of. Buried materials are limited to clean concrete and reinforcing bar and if you bury materials onsite then this must be recorded on the property deed.

“Within 90 days after completion of the burial, an owner of land used for farming who buries material under the authority of paragraph (a), clause (2), shall record, with the county recorder or registrar of titles of 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.”



If a landowner wants to bury demolition debris,

“Demolition debris” is the kind of waste generated when a building is demolished. As defined in state law, it includes: concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock and plastic building parts. Demolition debris does not include garbage called “household waste” or “municipal solid waste” or asbestos waste.

he/she must follow the permit by rule (PBR) process, which allows a limited volume of demolition debris (15,000 cubic yards) to be disposed of over a period of up to one year. PBR sites:

- cannot be on a site with karst features (karst is a landscape formed from the dissolution of soluble rocks including limestone, dolomite, and gypsum. It is characterized by sinkholes, caves, and underground drainage systems).
- cannot be located within a wetland or floodplain.
- cannot be within 300 feet of a stream or river, or within 1,000 feet of a lake or pond.
- must be at least 50 feet from the property boundary line.
- must be at least 50 feet from a water supply well and at least 100 feet from a sensitive water supply well.
- must have a bottom that is at least 5 feet above the seasonal high groundwater table.
- cannot be adjacent to another demolition debris disposal PBR.

In order to operate a PBR, the following requirements must be met:

- The facility must be operated by a Class II or Class III certified landfill operator.
- Only demolition debris may be accepted for disposal. Asbestos or household waste may not be accepted in any form.
- Solid waste taxes must be paid.
- After one year, or after 15,000 cubic yards of material has been placed at the site, the facility must be closed by covering the waste with a minimum of 2 feet of cover. The cover must be sloped between 2 and 20 percent, and the cover must be vegetated to prevent erosion.
- description of the types and quantities of waste buried must be recorded on, or as an attachment to, the property deed.
- The landowner must inspect the site annually for 20 years, and provide landfill maintenance as required.