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CARLTON COUNTY RECORDER

BY *Jma* Dep

Amendment #4
Carlton County Solid Waste Ordinance
Ordinance #17

The Board of County Commissioners of Carlton County ordains as follows:

Amendment #2 of Ordinance #17 is amended in its entirety to read as follows:

SECTION IX. A. STORAGE AND USE OF TIRE SHREDS AS LIGHTWEIGHT FILL

Subdivision 1. Storage of tire shreds to be used as lightweight fill shall comply with Minnesota Rule Chapter 9220 and require a County Letter of Approval, as well as the following requirements:

- a. A request for approval shall be submitted to the Solid Waste Administrator for review and presentation to the Board for consideration. The request shall include information to address the following criteria as well as other information requested by the Solid Waste Administrator.
- b. Storage shall be temporary and shall not exceed ninety (90) days at one location while waiting for delivery to the final destination.
- c. Storage shall be in a well-drained area which is not subject to ponding or flooding.
- d. Storage shall only be in commercial and industrial zoning districts or in agricultural and forestry zoning districts when outside the view of the adjacent property owners and road right-of-way.
- e. Only shredded tires, not whole tires, shall be stored at the site.
- f. Storage shall be limited to the equivalent of 500,000 passenger car tires (15,000 cubic yards loose volume).

- g. The Board may consider long term storage (greater than 90 days). Long term storage areas shall comply with MN Rule 9220.0480 as well as the following requirements in addition to those listed above in a, c, d, e, and f.
1. Tires shred piles shall not be more than fifteen (15) feet in height.
 2. Tire shred piles shall allow for fire lane access.
 3. Sites shall have controlled access.
 4. Other requirements as determined by the Board.

Subdivision 2. Use of tire shreds as lightweight fill shall only be permitted by approval of the Board subject to the following requirements as well as rules and policies of the MPCA:

- a. A request for approval shall be submitted to the Solid Waste Administrator for review and presentation to the County Board for consideration. The plan shall include, but not be limited to, the location, duration, and length of the project, the depth of fill, depth of cover, number and type of tires to be used, depth to Redoximorphic features, soil data, the size of waste tire pieces, the plan for encapsulating the waste tire pieces, and the fire protection plan. All engineering specifications must be consistent with the current lightweight tire fill engineering practices as developed for roadways by the Minnesota Department of Transportation. Also required are maps, diagrams, and cross-sections to show construction detail.
- b. The use shall be clearly beneficial as determined by MN Rule 7035.2860. MPCA Beneficial Use Determination and not merely a method of Disposal. The application shall explain the reason for and beneficial use of tire shreds for each individual request.
- c. Lightweight fill shall only be used on Public Road Projects; private drives entering established, occupied, year-round residences; or private drives for established commercial or industrial uses. Lightweight fill may be considered for other projects. A Registered Professional Engineer shall prepare the construction plan for all projects.
- d. Lightweight fill shall not be used through wetlands without design by a Registered Professional Engineer.
- e. Lightweight fill shall be placed at least one foot above redoximorphic features. The Board may consider other engineering practices developed by the MN Department of Transportation.
- f. The lightweight fill shall be covered with soil within thirty (30) days of delivery to the project site. Tire shreds shall be covered by low permeable soil and designed to promote surface water drainage away from the roadbed to minimize the amount of surface water seeping through the shredded tires.
- g. Only tire shreds not to exceed 12 inches in size shall be allowed as lightweight fill. Whole tires shall not be allowed.
- h. No after-the-fact permits shall be issued. Lightweight fill not authorized by permit shall be removed from the site and managed according to MN rules and regulations.



Chairperson, Board of Commissioners

Attest:



County Auditor

Public Hearing held by the Carlton County Planning Commission on Wednesday, April 1, 2009.

The amendment was approved by the Carlton County Board of Commissioners on April 14, 2009.

The amendment was published in the Star Gazette on May 14, 2009.