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INTRADEPARTMENTAL MEMORANDUM

FILE: Devils Lake Transfer Station (0377)

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

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

FROM: Ethan Hardy, Environmental Engineer
Solid Waste Program
Division of Waste Management

SUBJECT: Permit Application Review

DATE: October 21, 2026

Introduction

The North Dakota Department of Environmental Quality (Department) received a permit application for a renewal for the City of Devils Lake's transfer station.

The City of Devils Lake currently owns and operates a transfer station, regulated under Permit 0377, on approximately 8.67 acres located in Section 32, Township 154 North, Range 64 West in Ramsey County, ND. The City of Devils Lake is proposing to renew their permit to continue providing transfer station services to the City of Devils Lake. The facility was first permitted in 2000.

Design

The City of Devils Lake operates a transfer station located on the south side of the Devils Lake Municipal Airport. Approximately 1 acre of the site is utilized by the transfer station. The site includes multiple buildings used for city functions, within a fence, and secure area. The facility can be accessed via Highway 19 which intersects US Highway 2 to the east of the facility. The facility routinely cleans the tipping floor as necessary to prevent any waste material from impacting the environment. Contingency plans are in place to address emergency situations, including fires, explosions, and excessive dust, should they arise.

Operation

The facility has a plan of operations that is updated and revised if any changes are proposed at the facility. The City of Devils Lake Sanitation Department is responsible for the operation of the facility. The transport vehicles enter the facility where the certified operator directs the haulers to dump; the garbage trucks dump on the tipping floor and waste is loaded by skid steer into the compactor, compressed into receiver boxes, and then hauled to a permitted landfill. As

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municipal solid waste (MSW) is being off-loaded on the tipping floor, routine inspections are performed. Incoming waste is routinely inspected to identify any wastes prohibited from entering the facility; any unacceptable waste is removed and returned to the generator. All acceptable waste received at the facility is currently hauled to the Grand Forks MSW Landfill (Permit 0347). All waste is currently hauled by the City of Devils Lake's public works staff and equipment. The City of Devils Lake provides an annual report to the Department indicating the amounts of waste accepted for transfer throughout the given year.

Closure

When the facility closes, the facility has developed closure activities to be implemented to protect public health and the environment. The following closure activities will be conducted:

a. Waste Removal – All MSW, recyclables, and bulky items will be removed from the tipping floor, storage areas, trailers, and surrounding grounds. Waste will be transported to a permitted solid waste management facility.
b. Cleaning and Decontamination – The tipping floor, loading bay, push walls, drains, and waste handling areas will be thoroughly cleaned. Residual waste, litter, and debris will be removed from the site.
c. Equipment and Materials Removal – All containers, trailers, compactors, and portable equipment will be removed from the site. Fuel, lubricants, chemicals, and maintenance materials will be removed and managed according to applicable regulations.
d. Utilities and Infrastructure – Drainage systems will be cleaned and left in a condition that prevents ponding or discharge of contaminants.
e. Site Security and Stabilization – Access to the facility will be restricted following closure, if needed.
f. Environmental Protection Measures – Closure activities will be conducted to minimize dust, odor, litter, and stormwater impacts.
g. Schedule for Closure – Closure activities are expected to be completed within 30–60 days of the final receipt of waste.
h. Certification of Closure – Upon completion of closure activities, the owner/operator will submit written certification to the Department stating that the facility has been closed in accordance with the plan and applicable Department regulations.
i. Post-Closure Considerations – No long-term post-closure care is anticipated due to the nature of transfer station operations. The site may be repurposed or redeveloped following Department approval.

Compliance History

No items of noncompliance have been noted since the facility opened, and no formal notices of violations 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.

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NDAC Section 33.1-20-02.1-06. Property rights.

A land ownership map was provided showing that the City of Devils Lake owns the property that the transfer station occupies.

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

A preapplication is not required for an inert waste landfill or transfer stations.

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

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

A hard copy of the application and supporting documents was submitted to the Department along with an electronic copy.

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;**

   A hard copy of the application and supporting documents was submitted to the Department along with an electronic copy.

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;**

   The facility only accepts MSW from the City of Devils Lake and surrounding communities. The waste is transferred to the City of Grand Forks' MSW Landfill (Permit 0347). Annual reports are proved to the Department indicating the quantity of MSW accepted at the facility each year.

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 requirements of this section are not applicable as the facility is a transfer station and the facility is not proposing any disposal activities.

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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 the facility is not proposing any disposal activities.

e. Demonstrations of capability to fulfill the general facility standards of section 33.1-20-04.1-02;

The facility maintains a Department certified operator who directs and supervises operations to maintain compliance with the solid waste management rules, and the facility's solid waste permit. All training certifications can be found within the facility's plan of operation located at the City of Devils Lake's Sanitation Department. The facility's inspections and monitoring of incoming waste are inspected by the facility's certified operator. Inspections are completed when waste is collected, dumped at the facility and loaded into the compactor boxes. The routine inspections ensure compliance and adherence with: the safety and health plan; the restriction of blowing dust and litter; restriction and appropriate control of vectors; and observation and identification of fire or explosive threats. If corrective action is required, the corrective action will be recorded, placed and noted in the appropriate logbook. The facility has a sign with all of the required information.

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 facility is fenced and gated to provide access control. The facility maintains contingency plans in the event of any windblown debris, dust, litter, vector control, and fire or explosions. The facility has access to multiple kinds of heavy equipment that the City of Devils Lake maintains to be used for the operations at the transfer station.

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.

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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) **CCR unit, chapter 33.1-20-08;**

The requirements of this section are not applicable as the facility is not proposing a CCR unit.

13) **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.

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14) 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;

The application included a plan of operation for the facility. The facility will verbally contact the Department regarding any proposed changes that the facility plans to implement. Upon approval, the update plan will be submitted to the Department. Included in the Plan of Operations is information regarding waste handling and acceptance/rejection procedures, inspection activities that the facility routinely conducts, contingency plans for fire or explosion, dust control, and vector control. The City of Devils Lake maintains a safety and health plan that requires its employees to read and implement. Inspections of the facility are logged and placed in the appropriate logbook. The facility provided log forms that are used when inspecting incoming loads to ensure that any prohibited waste is not allowed at the facility.

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 is kept at the City of Devils Lake's Sanitation Building which is located at 205 2nd St. NE, Devils Lake, ND.

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;

The requirements of this section are not applicable as the facility does not operate a disposal facility and the facility is not proposing any disposal activities.

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

When the facility closes, the facility has developed closure activities to be implemented to protect public health and the environment. The following closure activities will be conducted:

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i. Post-Closure Considerations – No long-term post-closure care is anticipated due to the nature of transfer station operations. The site may be repurposed or redeveloped following Department approval.

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 submitted to the Department.

Conclusion

Based on the submitted application and items discussed above, the City of Devils Lake has shown that the proposed renewal meets the requirements of the North Dakota Solid Waste Management Rules. It is proposed that the Department grant the City of Devils Lake a permit with the conditions listed in Permit 0377. The proposed permit length is for a period of 10 years because the facility has a good compliance record.

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