

**Environment and Natural Resources Trust Fund**

# M.L. 2022 Approved Work Plan

## **General Information**

**ID Number:** 2022-304

**Staff Lead:** Michael Varien

**Date this document submitted to LCCMR:** August 12, 2022

**Project Title:** Pig's Eye Landfill Task Force

**Project Budget:** $800,000

## **Project Manager Information**

**Name:** Paul Pestano

**Organization:** Minnesota Pollution Control Agency

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## **Project Reporting**

**Date Work Plan Approved by LCCMR:** August 16, 2022

**Reporting Schedule:** March 1 / September 1 of each year.

**Project Completion:** June 30, 2026

**Final Report Due Date:** August 14, 2026

## **Legal Information**

**Legal Citation:** M.L. 2022, Chp. 94, Sec. 2, Subd. 10j

**Appropriation Language:** $800,000 the second year is from the trust fund to the commissioner of the Pollution Control Agency to establish a Pig's Eye Landfill Task Force to coordinate efforts to remediate and restore the Pig's Eye Landfill Superfund site and address perfluoroalkyl and polyfluoroalkyl substances (PFAS) contamination of Battle Creek, Pig's Eye Lake, and nearby groundwater. The task force must be made up of at least the commissioner of the Pollution Control Agency, the commissioner of natural resources, the commissioner of health, a representative from the Metropolitan Council, a representative from the city of St. Paul, a representative from the city of South St. Paul, a representative from the city of Newport, a representative from Ramsey County, a representative from Dakota County, a representative from Washington County, and representatives from relevant federal agencies. The task force is subject to Minnesota Statutes, section 15.059, subdivision 6. The task force must submit an annual report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources on the status of the task force's work. The final report is due February 15, 2026. The task force expires June 30, 2026. This appropriation is available until June 30, 2026.

**Appropriation End Date:** June 30, 2026

## **Narrative**

**Project Summary:** Establish a task force to coordinate efforts to remediate and restore Pig’s Eye Dump Superfund site and address PFAS contamination of Battle Creek, Pig's Eye Lake, and nearby groundwater.

**Describe the opportunity or problem your proposal seeks to address. Include any relevant background information.**

Pig’s Eye Dump is a closed disposal site with over 8 million cubic yards of municipal, commercial, industrial, and wastewater treatment incinerator ash waste over 200 acres. It is the largest unpermitted dump in Minnesota. The MPCA has authority to conduct investigations and remedial activities at the site and has done so over the last several decades, including cleanup of hazardous waste and contaminated soil and the installation of a soil cap over the waste footprint. The MPCA’s current investigations around the site include: monitoring for per- and polyfluoroalkyl substances (PFAS) and 1,4-dioxane in ground- and surface water; metals and PFAS in sediment; and, landfill gas.

The Pig’s Eye Dump property is owned by the City of St. Paul and the surrounding properties are owned by Ramsey County, the Metropolitan Council, and Canadian Pacific Rail. The surrounding areas consist of several communities, businesses, and natural resources for wildlife and recreational use. To date, the stakeholders have been planning future uses of the property to accomplish their objectives and authorities. The stakeholders have been coordinating the plans for site improvements; however, there is not one comprehensive plan that incorporates all the stakeholders’ objectives to restore and remediate the site.

**What is your proposed solution to the problem or opportunity discussed above? Introduce us to the work you are seeking funding to do. You will be asked to expand on this proposed solution in Activities & Milestones.**

The MPCA will establish a task force to coordinate efforts of the various stakeholders to remediate and restore the Pig’s Eye Dump property and address PFAS contamination of groundwater flowing to the south portion of Battle Creek and eventually Pig's Eye Lake. The Pig’s Eye Task Force will be made up of at least the following or their delegates: the commissioners of the MPCA, the Minnesota Department of Natural Resources (DNR), and the Minnesota Department of Health (MDH) ; the Metropolitan Council (MetCouncil); the cities of St. Paul, South St. Paul, and Newport; the counties of Ramsey, Dakota, Washington; and, relevant federal agencies.

The task force will collaborate to plan the future work to: remediate the site to protect human health and the environment; incorporate the restoration of natural resources; and, optimize recreational opportunities. The plan will incorporate the differing stakeholders’ objectives/authorities into a cohesive report to the legislature.

**What are the specific project outcomes as they relate to the public purpose of protection, conservation, preservation, and enhancement of the state’s natural resources?**

The outcome of the project is a transparent and coordinated effort to develop a plan that will summarize: the history of Pig’s Eye Dump, including cleanup efforts and impacts; outline additional remedial action options; itemize restoration activities or projects to be considered; identify infrastructure needs and potential funding sources; and, recommend legislative actions, if needed. The coordinated plan will provide for the protection of human health and the environment while balancing desires to restore the property for recreational and natural resource purposes.

## **Project Location**

**What is the best scale for describing where your work will take place?** County(s): Dakota, Ramsey, Washington,

**What is the best scale to describe the area impacted by your work?** County(s): Dakota, Ramsey, Washington,

**When will the work impact occur?** During the Project and In the Future

## **Activities and Milestones**

### **Activity 1: Hire the Pig’s Eye Task Force coordinator**

**Activity Budget:** $1

**Activity Description:**The MPCA will hire a temporary, unclassified full-time employee (FTE) who will coordinate and manage the task force activities. The hiring process will include creating the vacancy packet, posting the position on the State of Minnesota careers website, interviewing and evaluating candidates, seeking approval from MPCA leadership to extend an offer, and hiring the finalist. Once the position is filled, the incumbent will be trained and onboarded, and at the completion of onboarding, will establish and commence the task force activities.

The activity budget is $1 because this is a foundational activity for the subsequent activities in this work plan. The MPCA intends to perform this activity as an in-kind service.

**Activity Milestones:**

|  |  |
| --- | --- |
| **Description** | **Approximate Completion Date** |
| Publish job posting to the State of Minnesota careers website | October 31, 2022 |
| Conduct interviews | November 30, 2022 |
| Hire finalist | December 31, 2022 |
| Train and onboard incumbent | January 31, 2023 |
| Initiate task force activities | January 31, 2023 |

### **Activity 2: Establish the Pig’s Eye Task Force and convene regular meetings**

**Activity Budget:** $406,999

**Activity Description:**The MPCA will coordinate with the DNR, MDH, MetCouncil, city of St. Paul, city of South St. Paul, city of Newport, Ramsey County, Dakota County, Washington County, and relevant federal agencies (U.S. Environmental Protection Agency, Army Corps of Engineers, etc.) to select representatives for the Pig’s Eye Task Force. Once the representatives have been selected, the MPCA will schedule, prepare for, and hold the kick-off meeting to introduce the project, establish task force goals and deliverables, set the project timeline, define roles and responsibilities, and share the communication plan.

The MPCA will schedule, prepare for, and hold all subsequent meetings. The fiscal year 2023 meetings will be scheduled upon completion of the kick-off meeting. The meetings for fiscal years 2024, 2025, and 2026 will be scheduled at least six months prior to the start of the respective fiscal year.

Once a year, the task force will prepare and submit an annual report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources on the status of the task force’s work.

The activity budget covers the FTE cost and any contracting services needed to prepare for task force meetings.

**Activity Milestones:**

|  |  |
| --- | --- |
| **Description** | **Approximate Completion Date** |
| Contact federal, state, and local entities | February 28, 2023 |
| Federal, state, and local entities select task force representatives | February 28, 2023 |
| Hold task force kick-off meeting to establish goals, deliverables, timelines, roles, etc. | March 31, 2023 |
| Submit FY2023 annual report to the legislature | March 31, 2023 |
| Submit FY2024 annual report to the legislature | March 31, 2024 |
| Submit FY2024 annual report to the legislature | March 31, 2025 |
| Schedule, prepare, and hold FY2023, FY2024, FY2025, and FY2026 task force meetings | June 30, 2026 |

### **Activity 3: Task Force final report to the legislature**

**Activity Budget:** $393,000

**Activity Description:**The task force will submit a final report by February 25, 2026. The report will include the plan that incorporates the stakeholders’ objectives and authorities and detail the following future work: remediate the site to protect human health and the environment; incorporate the restoration of natural resources; and, optimize recreational opportunities.

The activity budget covers contracting services required to prepare the report, as well as any work contributed by the task force coordinator FTE.

**Activity Milestones:**

|  |  |
| --- | --- |
| **Description** | **Approximate Completion Date** |
| Compile history of the Pig’s Eye Dump site | September 30, 2023 |
| Outline remedial action options | October 31, 2025 |
| Itemize restoration activities or projects to be considered | October 31, 2025 |
| Identify infrastructure needs and potential funding sources | October 31, 2025 |
| Recommend necessary legislative actions | October 31, 2025 |
| Task force reviews and approves final report | January 31, 2026 |
| Submit final report to the legislature | February 28, 2026 |

## **Project Partners and Collaborators**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Organization** | **Role** | **Receiving Funds** |
| TBD | Minnesota Department of Natural Resources | TBD | No |
| TBD | Minnesota Department of Health | TBD | No |
| TBD | Metropolitan Council | TBD | No |
| TBD | City of St. Paul | TBD | No |
| TBD | City of South St. Paul | TBD | No |
| TBD | City of Newport | TBD | No |
| TBD | Ramsey County | TBD | No |
| TBD | Dakota County | TBD | No |
| TBD | Washington County | TBD | No |
| TBD | US Army Corps of Engineers | TBD | No |

## **Dissemination**

**Describe your plans for dissemination, presentation, documentation, or sharing of data, results, samples, physical collections, and other products and how they will follow ENRTF Acknowledgement Requirements and Guidelines.**Sharing the results of the task force will be in the form of annual reports and a final report that will be published on the MPCA website and will be a working document that will guide future remediation and restoration in the Pigs Eye area. It is also likely that other task force members will publicize the work of the task force including the final report. All reports will follow the ENRTF Acknowledgement Requirements and Guidelines. The requirements and guidelines will be communicated to all task force members.

## **Long-Term Implementation and Funding**

**Describe how the results will be implemented and how any ongoing effort will be funded. If not already addressed as part of the project, how will findings, results, and products developed be implemented after project completion? If additional work is needed, how will this work be funded?**One of the outcomes of the Pig’s Eye Task Force work is identifying potential funding sources and legislative action, if necessary, to continue the remediation and restoration of the Pig’s Eye site in a coordinated manner. Remedial investigations and activities for the Pig’s Eye Dump, which are managed by the MPCA, will be funded through the Minnesota Landfill Contingency Action Trust (MLCAT) account while funds are available.

## **Budget Summary**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Category / Name** | **Subcategory or Type** | **Description** | **Purpose** | **Gen. Ineli gible** | **% Bene fits** | **# FTE** | **Class ified Staff?** | **$ Amount** |
| **Personnel** |  |  |  |  |  |  |  |  |
| Pig's Eye Task Force Coordinator |  | Will coordinate, facilitate, and manage task force activities. Will coordinate the development of the legislative annual and final reports. |  |  | 34% | 3 |  | $415,000 |
|  |  |  |  |  |  |  | **Sub Total** | **$415,000** |
| **Contracts and Services** |  |  |  |  |  |  |  |  |
| TBD | Professional or Technical Service Contract | Assist with facilitation and legislative reporting tasks. Will also assist with developing the final report due to the legislature. |  |  |  | 0 |  | $385,000 |
|  |  |  |  |  |  |  | **Sub Total** | **$385,000** |
| **Equipment, Tools, and Supplies** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
| **Capital Expenditures** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
| **Acquisitions and Stewardship** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
| **Travel In Minnesota** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
| **Travel Outside Minnesota** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
| **Printing and Publication** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
| **Other Expenses** |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  | **Sub Total** | **-** |
|  |  |  |  |  |  |  | **Grand Total** | **$800,000** |

### **Classified Staff or Generally Ineligible Expenses**

|  |  |  |  |
| --- | --- | --- | --- |
| **Category/Name** | **Subcategory or Type** | **Description** | **Justification Ineligible Expense or Classified Staff Request** |

### **Non ENRTF Funds**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Category** | **Specific Source** | **Use** | **Status** | **$ Amount** |
| **State** |  |  |  |  |
|  |  |  | **State Sub Total** | **-** |
| **Non-State** |  |  |  |  |
|  |  |  | **Non State Sub Total** | **-** |
|  |  |  | **Funds Total** | **-** |

## **Attachments**

### **Required Attachments**

#### ***Visual Component***

File: [1a1be906-568.pdf](https://lccmrprojectmgmt.leg.mn/media/map/1a1be906-568.pdf)

#### ***Alternate Text for Visual Component***

Map of the Pig's Eye Landfill with neighboring properties and natural areas, such as the Metropolitan Council facility, the Canadian Pacific Railway property, the US Army Corps of Engineers project, Battle Creek, Pig's Eye Lake, Mississippi River, and Pigs Eye Island Heron Rookery Scientific and Natural Area....

### **Optional Attachments**

#### ***Support Letter or Other***

|  |  |
| --- | --- |
| **Title** | **File** |
| Pigs Eye Map 2: showing city and county boundaries | [91244d37-768.pdf](https://lccmrprojectmgmt.leg.mn/media/attachments/91244d37-768.pdf) |

## **Difference between Proposal and Work Plan**

#### ***Describe changes from Proposal to Work Plan Stage***

Not applicable

## **Additional Acknowledgements and Conditions:**

The following are acknowledgements and conditions beyond those already included in the above workplan:

**Do you understand and acknowledge the ENRTF repayment requirements if the use of capital equipment changes?**
 N/A

**Do you agree travel expenses must follow the "Commissioner's Plan" promulgated by the Commissioner of Management of Budget or, for University of Minnesota projects, the University of Minnesota plan?**
 N/A

**Does your project have potential for royalties, copyrights, patents, or sale of products and assets?**
 No

**Do you understand and acknowledge IP and revenue-return and sharing requirements in 116P.10?**
 N/A

**Do you wish to request reinvestment of any revenues into your project instead of returning revenue to the ENRTF?**
 N/A

**Does your project include original, hypothesis-driven research?**
 No

**Does the organization have a fiscal agent for this project?**
 No