

Coal Combustion Residual (CCR) Landfill Plan of Operation Modification for Initial Permitting Checklist Section NR 514.045, Wis. Adm. Code



February 2023

Waste & Materials Management
P.O. Box 7921
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This checklist is intended for use by department staff to determine completeness during the review of plan of operation modifications for initial permitting of CCR landfills under s. NR 514.045, Wis. Adm. Code. Refer to applicable statutes and codes for exact requirements. The completeness determination is due within 90 days after the owner or operator of a new or existing CCR landfills submits the plan of operation modification for initial permitting. Refer to ss. NR 514.045(2) – (4), Wis. Adm. Code for subsequent steps upon determining whether or not the plan of operation modification is complete. This checklist refers to and should be used with the Design and Construction Criteria Completeness Checklist for ch. NR 504, Wis. Adm. Code requirements and other applicable Wis. Adm. Code chapters.

General Information

Facility Name: _____

Facility Identification (FID) Number: _____ License Number: _____

List all CCR units covered under this plan of operation modification for initial permitting. This includes all existing and new CCR landfills and any future cells to be constructed under the current plan of operation approval.

CCR Unit Name (Phase): Type of Unit (Existing, New, or Approved – but not constructed):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Facility Name: _____

Initial Submittal:	Date Received: ____/____/____	Completeness Due: ____/____/____	DNR Response: ____/____/____	(Complete: __ yes __ no)
Addendum # __	Date Received: ____/____/____	Completeness Due: ____/____/____	DNR Response: ____/____/____	(Complete: __ yes __ no)

NR 514.045 Procedural requirements for initial permitting of CCR landfills. (1) GENERAL. An owner or operator of a new or existing CCR landfill that is licensed or constructed prior to August 1, 2022, shall submit a plan of operation modification to the department no later than February 1, 2023, to update the plan of operation to comply with the applicable requirements under chs. NR 500 to 520 for CCR landfills. The plan of operation modification shall address all phases of the CCR landfill. At a minimum, the plan of operation modification shall include all of the following:

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
NR 514.045(1)(a) Does the submittal meet the requirements under s. NR 500.05, including the certifications required under s. NR 500.05(4)?					
NR 500.05 GENERAL SUBMITTAL REQUIREMENTS.					
(1) Has payment of the review fee of \$30,500 been received? Note: The department sends an invoice to the facility contact upon receipt of the submittal. Payment is due within 30 days of receipt of the invoice.					
(2) Has a cover letter detailing the desired action been submitted?					
(3) Have the appropriate number of written and electronic copies been submitted to the department?					
(4) Are the report and plan sheets submitted under the seals and certifications of a licensed professional engineer and professional geologist?					
(5) Technical Procedures:					
Were all test procedures specified in the report?					
Were all technical procedures used to investigate the facility current standard procedures?					
Were explanations and reasons given for deviations from any current standard method?					
(6) Do all maps, plan sheets, drawings, isometrics, cross-sections, figures, photographs and tables meet the following requirements?					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(a) No larger than 32 inches by 44 inches and no smaller than 8 ½ inches x 11 inches. Note: Section NR 514.045, Wis. Adm. Code requires engineering plans be drawn on standard 24 inch by 36-inch plan sheets.					
(b) Appropriate scale to show all required detail in sufficient clarity.					
(c) ___ numbered ___ legends for all symbols ___ referenced in the narrative ___ horizontal & vertical scales ___ titled ___ drafting and origination dates					
(d) Use uniform scales.					
(e) Contain a north arrow.					
(f) Use mean sea level as the basis for all elevations.					
(g) Contain a survey grid based on monuments established in the field and which utilize a coordinate system and datum, such as state plane coordinates, Universal Transverse Mercator (UTM), or Wisconsin Transverse Mercator.					
(h) Show original topography and a grid system shown on the plan sheets that show construction, operation, and closure topography.					
(i) Any cross-sections: ___ Show survey grid locations, ___ Reference major plan sheets, ___ Include a reduced diagram of plan view showing cross-section location.					
(7) A table of contents listing all sections of the submittal.					
(8) An appendix listing the following: ___ names of all references ___ all raw data ___ testing and sampling procedures ___ calculations					
NR 514.045(1)(b) Does the submittal include a demonstration that all phases of the CCR landfill meet the performance criteria under s. NR 504.04(4)(a), (b), and (c)?					
NR 504.04(4) PERFORMANCE STANDARDS. Will the proposed landfill cause the following:					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(a) A significant adverse impact on wetlands? <input type="checkbox"/> yes <input type="checkbox"/> no Has a practicable alternatives analysis and a wetland functional values analysis been completed in accordance with ch. NR 103, if a wetland will be affected by the proposed landfill or any noncommercial soil borrow source activity? Note: See DNR wetland regulation website (https://dnr.wisconsin.gov/topic/Wetlands/permits) to help determine if a wetland permit may be needed per s. 281.36, Stats.					
(b) A take of an endangered or threatened species in accordance with s. 29.604, Stats? <input type="checkbox"/> yes <input type="checkbox"/> no					
(c) A detrimental effect on any surface water? <input type="checkbox"/> yes <input type="checkbox"/> no Note: Exemptions are <u>not</u> granted.					
For new CCR landfills or a lateral expansion of a CCR landfill, if the landfill failed to make the demonstration showing compliance with the criteria above, has the landfill ceased placing CCR in the CCR landfill per NR 514.045(5)(b)?					
NR 514.045(1)(c) Does the submittal include a demonstration that all phases of the CCR landfill meet the locational criteria under s. NR 504.04(3)(g), (h), and (i)?					
NR 504.04(3) LOCATIONAL CRITERIA. Are the proposed limits of filling within:					
(g) 200 feet of a fault that has had displacement in Holocene time? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> If yes, was an exemption requested?					
(h) Seismic impact zones? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> If yes, was an exemption requested?					
(i) Unstable areas? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> If yes, was an exemption requested?					
For new CCR landfills or a lateral expansion of a CCR landfill, if the landfill failed to make the demonstration showing compliance with the criteria above, has the landfill ceased placing CCR in the CCR landfill per NR 514.045(5)(b)?					
NR 514.045(1)(c) (continued) Does the demonstration for unstable areas address all of the following factors, at a minimum, when determining whether an area is unstable:					
1. On-site or local soil conditions that may result in significant differential settling.					
2. On-site or local geologic or geomorphologic features.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
3. On-site or local human-made features or events both surface and subsurface.					
For existing CCR landfills that do not comply with the location criteria for unstable areas specified above, has the owner or operator, within 6 months of the determination, done the following per NR 514.045(5)(a): ___ ceased placing CCR and non-CCR waste streams into the CCR landfill ___ closed the CCR landfill in accordance with the requirements under s. NR 506.083 Note: This timeframe does not apply if the owner or operator complies with the alternative closure procedures under s. NR 506.083(7).					
NR 514.045(1)(d) Does the submittal include a demonstration that the facility or practices near floodplains will not cause the following effects:					
___ Restrict the flow of the regional flood ___ Reduce the temporary water storage capacity of the floodplain ___ Result in washout of solid waste so as to pose a hazard to human life, wildlife, or land or water resources. Note: NR 504.04(3)(c) also requires no person may establish, construct, operate, maintain, or permit the use of property for a landfill where the limits of filling are or would be within a floodplain.					
For new CCR landfills or a lateral expansion of a CCR landfill, if the landfill failed to make the demonstration showing compliance with the criteria above, has the landfill ceased placing CCR in the CCR landfill per NR 514.045(5)(b)?					
NR 514.045(1)(e) Does the submittal include a demonstration that the facility or practices will not result in the destruction or adverse modifications of the critical habitat of endangered or threatened species as identified in s. NR 27.03(1)?					
For new CCR landfills or a lateral expansion of a CCR landfill, if the landfill failed to make the demonstration showing compliance with the criteria above, has the landfill ceased placing CCR in the CCR landfill per NR 514.045(5)(b)?					
NR 514.045(1)(f) Does the submittal include a demonstration that the CCR landfill design meets requirements under s. NR 504.12 or an alternate design under s. NR 504.10? Does the demonstration include a design report, engineering drawings, and calculations?					
Note: <u>Complete NR 504.12 and if applicable NR 504.10 (for an alternate design) of the NR 504 Design and Construction Criteria Completeness Checklist.</u>					
For new CCR landfills or a lateral expansion of a CCR landfill, if the landfill failed to make the demonstration showing compliance with NR 504.12 and NR 504.10 (for an alternate design), has the landfill ceased placing CCR in the CCR landfill per NR 514.045(5)(b)?					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
NR 514.045(1)(g) Does the submittal include all of the plans required under s. NR 514.07(10)?					
NR 514.07(10) PLAN OF OPERATION. Does the submittal include all of the following:					
(a) A CCR fugitive dust control plan in accordance with all of the following:					
1. The plan shall identify and describe the CCR fugitive dust control measures the owner will use to minimize CCR from becoming airborne at the facility. The owner shall select and include in the CCR fugitive dust control plan the CCR fugitive dust control measures that are most appropriate for site conditions, along with an explanation. See s. NR 514.07(10)(a)1. for control measure examples.					
2. The plan shall include procedures to wet CCR with water to a moisture content that will prevent wind dispersal, but will not result in free liquids. In lieu of water, wetting of CCR may be accomplished with an appropriate chemical dust suppression agent.					
3. The plan shall include a description of the procedures the owner will follow to periodically assess the effectiveness of the control plan. At a minimum, the assessment shall include a visual inspection at least every 7 days, unless the CCR landfill is inactive, and all areas are covered by intermediate or final cover.					
4. The plan shall be modified in accordance with s. NR 514.04(6) whenever there is a change in conditions that may substantially affect the plan of operation.					
5. The plan shall address the preparation of an annual fugitive dust control report in accordance with s. NR 506.20(3)(a).					
(b) A run-on and run-off control system plan that includes all of the following:					
1. A run-on and run-off control system designed in accordance with the requirements under s. NR 504.12(2).					
2. Plan sheets depicting the location of run-on and run-off control features, detail drawings, and supporting engineering calculations.					
3. Construction procedures and a schedule for construction.					
4. Modification every 5 years from the date of the most recent plan approval or whenever there is a change in conditions that may substantially affect the written plan in effect. The modification shall be requested by the owner in accordance with s. NR 514.04(6) prior to the 5-year deadline.					
(c) A written closure plan in accordance with all requirements under NR 514.06(10) and all of the following:					
1. A narrative description of how the CCR landfill will be closed, including a description of the steps necessary to close the CCR unit at any point during the active life of the CCR unit, consistent with recognized and generally accepted good engineering practices.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
<p>2. A description of the final cover system, designed in accordance with s. NR 504.07, and the methods and procedures to be used to install the final cover.</p> <p>Note: <u>Complete NR 504.07 of the NR 504 Design and Construction Criteria Completeness Checklist.</u></p>					
3. A demonstration, including a narrative discussion, of how final closure will meet the performance standards under s. NR 506.083(6).					
4. An estimate of the maximum volume in cubic yards of CCR that will be disposed on-site over the active life of the CCR landfill.					
5. An estimate of the largest area of the CCR landfill that will require a final cover at any time during the CCR landfill's active life.					
6. A schedule for completion of all closure activities, including an estimate of the year in which all closure activities for the CCR landfill will be completed.					
7. The plan shall be modified in accordance with s. NR 514.04(6) whenever there is a change in conditions that may substantially affect the written closure plan or unanticipated events necessitate a revision of the written closure plan.					
8. If closure of the CCR landfill will be accomplished through removal of CCR from the CCR landfill, the closure plan shall be modified and approved by the department prior to implementation in accordance with s. NR 514.04(6).					
(d) A written long-term care plan that addresses all of the following:					
<p>1. A description of the monitoring and maintenance activities and the frequency at which those activities will be performed. The activities shall include, at a minimum, all of the following:</p> <ul style="list-style-type: none"> ___ Long-term care activities specified under s. NR 514.06(11). ___ Maintaining the integrity and effectiveness of the final cover system, including making repairs as necessary. ___ Maintaining the effectiveness of the leachate collection and removal system and operating the leachate collection and removal system in accordance with the requirements under s. NR 504.12(3)(a). ___ Maintaining the groundwater monitoring system and monitoring the groundwater in accordance with ch. NR 507 and the sampling plan approval. 					
2. The name, address, telephone number, and email address of the person or office to contact about the facility during long-term care.					
3. A description of the planned uses of the property during long-term care. Post-closure uses may not disturb the integrity of the final cover, liner, or other component of the landfill, or function of the monitoring systems unless approved in writing by the department. A written request for approval as part of the plan of operation submittal or a modification shall include a demonstration that disturbance of any part of the CCR landfill will not increase the potential threat to human health or the environment.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
NR 514.045(1)(h) Does the submittal include a demonstration that the CCR groundwater monitoring system complies with the requirements under s. NR 507.15(3), including documentation of the design, installation, and development of any CCR wells?					
NR 507.15(3) CCR LANDFILLS. In addition to the detection groundwater monitoring system required under s. NR 507.19, the CCR landfill owner shall submit a plan establishing a separate CCR groundwater monitoring system for the purpose of monitoring groundwater quality in the uppermost aquifer. The plan shall be submitted with the plan of operation modification for initial permitting in accordance with s. NR 514.045 or in the feasibility report under ch. NR 512. The plan shall include all of the following:					
(a) Does the monitoring system consist of a sufficient number of CCR monitoring wells, installed at appropriate locations and depths?					
Are the CCR wells adequate to yield groundwater samples from the uppermost aquifer that accurately represent upgradient groundwater quality that has not been affected by leakage from CCR landfill and downgradient groundwater quality passing the waste boundary of the CCR landfill?					
Are the downgradient monitoring wells installed to ensure detection of groundwater contamination in the uppermost aquifer, including all known or suspected contaminant pathways?					
(b) Has the number, spacing, and depths of monitoring wells that are part of the CCR groundwater monitoring system plan based upon site-specific technical information that includes the following? ___ Aquifer thickness ___ Groundwater flow rate ___ Groundwater flow direction, including seasonal and temporal fluctuations in groundwater flow					
Does the monitoring system consider the saturated and unsaturated geologic units and fill materials overlying the uppermost aquifer, materials comprising the uppermost aquifer and materials comprising the confining unit defining the lower boundary of the uppermost aquifer, including thicknesses, stratigraphy, lithology, hydraulic conductivities, porosities, and effective porosities?					
(c) Does the monitoring system plan include the minimum number of monitoring wells necessary to meet performance standards specified under (a) based on the site-specific information specified under (b).?					
1. Does the groundwater monitoring system plan contain a minimum of one upgradient and 3 downgradient monitoring wells to be designated as CCR wells?					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
2. Does the groundwater monitoring system contain additional monitoring wells as necessary to accurately represent the background groundwater quality in the uppermost aquifer that has not been affected by leakage from the CCR landfill and the quality of groundwater passing the waste boundary of the CCR landfill?					
(d) Have the monitoring wells been designed and installed in accordance with NR 507.06 and regularly inspected in accordance with NR 507.13?					
(e) Has the documentation of the design, installation, development, and decommissioning of all wells and measurement/sampling devices been performed in accordance with NR 507.14 and NR 141, where applicable? This includes submission of all required forms to the department in the timeframes specified.					
NR 514.045(1)(i) Does the submittal include an updated sampling plan that addresses the requirements under s. NR 507.15(3)?					
NR 507.15(3) CCR LANDFILLS. Does the sampling plan address all of the following:					
(f) A sampling plan, which includes the CCR groundwater monitoring system, in accordance with s. NR 507.16 and the requirements under s. NR 140.16. <u>Note: Complete NR 507.16(1) below.</u>					
Does the sampling plan include consistent sampling and analysis procedures designed to ensure the production of monitoring results that provide an accurate representation of groundwater results that provide an accurate representation of groundwater quality in the uppermost aquifer at the upgradient and downgradient CCR wells and that provide a characterization of leachate quality generated by the CCR landfill?					
(g) Does the sampling plan include sampling and analytical methods that are appropriate for groundwater sampling and that accurately measure all required monitoring parameters under ch. NR 507, Appendix I in groundwater samples?					
Does the sampling plan specify the CCR landfill owner or operator obtain and analyze samples in accordance with the sampling plan and the requirements under s. NR 507.17?					
(h) In addition to the field measurements required under s. NR 507.17(1), does the plan include measurement of the groundwater elevations in each CCR well immediately prior to purging, each time groundwater is sampled.					
Does the plan include determination of the rate and direction of groundwater flow each time groundwater is sampled and reporting the result to the department in accordance with s. NR 507.26?					
Does the plan include that groundwater elevations in wells that monitor the same CCR landfill be measured within a timeframe short enough to avoid temporal variations in groundwater flow that could preclude accurate determination of groundwater flow rate and direction?					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(i) Has the owner/operator established baseline groundwater quality levels for each CCR monitoring well in accordance with NR 507.18 for each CCR well and for each of the constituents required under ch. NR 507 Appendix I, Table 1A and the sampling plan?					
(j) Has the owner/operator measured the total recoverable metal concentrations when measuring groundwater quality for each CCR monitoring well?					
Does measurement of total recoverable metals include both the particulate fraction and dissolved fraction of metals in natural waters? To ensure this, groundwater samples from CCR wells may not be field filtered prior to analysis.					
(k) Does the plan specify the owner/operator notify the department in writing within 60 days of completing sampling and analysis at any CCR well when a groundwater standard at the point of standards application has been attained or exceeded in accordance with s. NR 507.30?					
(L) Does the plan specify the owner/operator conduct detection groundwater monitoring at all CCR monitoring wells in accordance with NR 507.19 and all of the following?					
Does detection groundwater monitoring include groundwater monitoring for all constituents appropriate for CCR wells as listed under ch. NR 507 Appendix I, Table 1A and additional parameters as required by the department.					
1. Is the minimum monitoring frequency semi-annual for detection groundwater monitoring?					
Has baseline groundwater quality been established at each CCR monitoring well in accordance with s. NR 507.18? This includes collection of a minimum of 8 independent groundwater quality samples for each CCR well, analyzed for constituents' approval for CCR landfills as listed under ch. NR 507 Appendix I, Tables 1A and 3 and additional parameters as required by the department.					
2. Does the plan specify the number and methodology of groundwater quality samples be collected and analyzed for each CCR well during subsequent sampling events consistent with the approved sampling plan?					
Does the plan specify the CCR landfill owner or operator inform the department in accordance with s. NR 507.26 of any CCR well that purges dry, is damaged or obstructed, or in any way is rendered such that a sample was unable to be collected from the well during a scheduled sampling event and does the plan specify the owner or operator propose remedial actions to correct the problem prior to the next sampling event?					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
3. Does the plan specify the owner or operator of the CCR landfill notify the department and respond in accordance with s. NR 507.30 when a groundwater standard at the point of standards application has been attained or exceeded at any CCR well? This includes the establishment of an assessment monitoring program meeting the requirements under s. NR 508.06, unless the exceedance is determined by the department to be from a source other than the CCR landfill, or that the groundwater standard exceedance resulted from error in sampling, analysis, or natural variation in background groundwater quality in accordance with s. NR 508.06(2)(f)2.					
4. Does the plan specify the point of standards application for a groundwater quality exceedance at a CCR well, the horizontal distance for the design management zone under s. NR 140.22(3)(a) for a CCR landfill is 0 feet from the waste boundary and may not be expanded by the department under s. NR 140.22(3)(b)? The waste boundary includes the horizontal space taken up by any liner, dike or other barrier designed to contain CCR waste.					
(m) Does the plan specify the owner or operator of the CCR landfill prepare an annual groundwater monitoring and corrective action report for submittal to the department, placement in the written operating record and position g on the publicly accessible internet site under s. NR 506.17(2) and (3) no later than January 31 of the year following the calendar year a groundwater monitoring system has been approved by the department, and annually thereafter?					
Does the plan specify that the annual report document the status of the groundwater monitoring and any corrective action implemented at the CCR landfill, summarize key activities completed, describe any problems encountered, discuss actions to resolve the problems, and project key activities for the upcoming year?					
Does the plan specify the annual groundwater monitoring and corrective action report contain, at a minimum the information included in ss. NR 507.15(3)(m) 1. – 5.					
NR 507.16(1) SAMPLING PLAN. Does the sampling plan include the following information:					
(a) An 8 1/2 by 11 inch site map showing locations of all sample points and devices. An 11 by 17 inch site map may be included if clarity is compromised using the 8 1/2 by 11 inch size. Different symbols shall be used to differentiate types of monitoring devices such as groundwater monitoring wells, collection lysimeters and gas monitoring wells. Each sample point shall be labeled.					
(b) A sample schedule, including all of the following: ___ 1. The months that each sample point is to be sampled. ___ 2. The sampling period, as designated by the department. ___ 3. The list of parameters that are to be analyzed for in the sample from each monitoring device during each month that sampling occurs.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(c) Procedures for field measurements, including all of the following: ___ 1. The order in which wells should be sampled if the groundwater has been impacted by regulated or other activities. ___ 2. The procedures and type of equipment used to measure water level elevations. ___ 3. The procedures and type of equipment used to measure temperature, pH, conductivity and procedures to determine turbidity, odor and color.					
(d) Procedures for purging wells, including all of the following: ___ 1. Procedures to purge wells prior to collecting samples. ___ 2. Procedures for determining the volume of water to be removed from each well. ___ 3. The type of equipment used to purge wells. ___ 4. The rate of flow while purging, when applicable. ___ 5. Procedures to clean purging equipment between wells. ___ 6. The amount of time required between purging and sampling.					
(e) Procedures for obtaining samples from wells, including all of the following: ___ 1. Procedures and type of equipment used to retrieve samples. ___ 2. Volume of sample required for analysis. ___ 3. Procedures and type of equipment to filter samples, including when to filter and when not to filter samples, if applicable. ___ 4. The rate of flow when sampling, when applicable. ___ 5. Procedures and type of equipment to physically and chemically preserve samples. ___ 6. Procedures to clean sampling equipment following sampling of one well and prior to sampling the next well.					
(f) Procedures for establishing field quality assurance and quality control, including all of the following: ___ 1. Field blank, duplicate sample and trip blank procedures. ___ 2. The frequency at which the field blanks, duplicate samples and trip blanks will be collected or processed.					
(g) Special procedures to sample water supply wells.					
(h) Special procedures to sample leachate headwells and other devices.					
(j) Chain of custody procedures, including persons responsible for sampling and methods for transporting samples to the laboratory.					
Other Related Requirements					
NR 506.083 Closure requirements for CCR landfills Closure of a new or existing CCR landfill or a lateral expansion of a CCR landfill shall be performed in accordance with the plan of operation approval issued by the department and all of the following:					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
NR 506.083 (1) NOTIFICATION PROCEDURES					
(a) The owner or operator notified the department in writing of the intent to close no later than the date the owner or operator initiates closure of a CCR landfill under sub. (2)?					
(b) The owner or operator submitted a notification of closure to the department and placed a copy in the facility's operating record within 30 days following completion of closure of a CCR landfill under sub. (3)?					
Note: The notification shall include the certification required under s. NR 516.04 (3) (d).					
NR 506.083 (2) INITIATION OF CLOSURE ACTIVITIES					
(a)The owner or operator will begin closure of the CCR landfill no later than 30 days after either of the following: 1. The date of final receipt of CCR waste and any non-CCR waste stream 2. Final removal of CCR from the CCR landfill for the purpose of beneficial use of CCR					
(b) The owner or operator may delay closure up to 2 years upon written approval by the department if the owner or operator demonstrates that there is a reasonable likelihood that the CCR landfill will accept wastes in the foreseeable future or will remove CCR from the landfill for the purpose of beneficial use. The delay shall be requested in writing to the department as a modification to the written closure plan required under s. NR 514.07 (10)					
(c) and include documentation that the CCR landfill will continue to accept wastes or will start removing CCR for the purpose of beneficial use. The request shall include all of the following:					
(1) Information documenting that the CCR landfill has remaining storage or disposal capacity or that the CCR landfill may have CCR removed for the purpose of beneficial use.					
(2) Information demonstrating that there is a reasonable likelihood that the CCR landfill will resume receiving CCR or non- CCR waste streams in the foreseeable future or that CCR may be removed for the purpose of beneficial use. Any portion of the landfill that will not receive additional CCR or have CCR removed for a period exceeding 6 months shall be covered with one foot of fine grained intermediate cover or other material approved by the department. The narrative shall include a best estimate as to when the CCR landfill will resume receiving CCR or non-CCR waste streams.					
(3) Owner or operator or an authorized representative includes the statement: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(c) Prior to the end of a 2-year delay for commencing closure, the owner or operator may request a subsequent 2-year delay under par. (b).					
(d) Closure of the CCR landfill has begun once the owner or operator has ceased placing waste and undertakes any of the following actions or activities: ___ (1) Takes any steps necessary to implement the approved closure plan. ___ (2) Applies to the department or another agency for a permit or modification related to closure. ___ (3) Takes any steps necessary to comply with any department or other agency requirements that are a prerequisite, or are otherwise applicable, to initiating or completing the closure of a CCR landfill.					
NR 506.083 (3) COMPLETION OF CLOSURE ACTIVITIES					
(a) The owner or operator has completed closure of the CCR landfill within 6 months of commencing closure activities.					
(b) The timeframe for completing closure of a CCR landfill may be extended for a one-year period upon written department approval if the owner or operator demonstrates that it was not feasible to complete closure of the CCR landfill within the required timeframe due to factors beyond the owner or operator's control. Note: No more than a total of 2 one-year extensions may be obtained for any CCR landfill. An owner or operator shall request the time extensions to the department in writing as modifications to the approved closure plan and include a narrative discussion providing the basis for additional time. The time extension request shall include statement stated in NR 506.083(2)(b)(3.) signed by the owner or operator or an authorized representative.					
NR 506.083 (4) DEED NOTATION					
(a) Within 60 days after closure is complete, the owner or operator has recorded an affidavit with the register of deeds to notify any potential purchaser of the property that the land has been used as a landfill and its use is restricted to prevent disturbing the integrity of the final cover, liner, or any other components of the containment system or the function of the monitoring systems.					
(b) A copy of the affidavit has been submitted to the department and placed in the facility's operating record within 30 days of recordation.					
NR 506.083 (5) CLOSURE BY REMOVAL OF CCR					
The CCR removal and decontamination of the CCR landfill are complete when constituent concentrations throughout the CCR landfill and any areas affected by releases from the CCR landfill have been removed and groundwater monitoring concentrations do not exceed the groundwater protection standard for constituents listed under s. NR 140.10, Table 1. A landfill closed by removal of CCR and associated remediation is not subject to the deed notation requirement under sub. (4) and long-term care requirements under s. NR 506.084.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
NR 506.083 (6) CLOSURE PERFORMANCE STANDARDS WHEN LEAVING CCR IN PLACE					
An owner or operator of a CCR landfill shall ensure that, at a minimum the CCR landfill is closed in a manner that will achieve all of the following performance standards:					
(a) Control, minimization or elimination, to the maximum extent feasible, of post-closure infiltration of liquids into the waste and of releases of CCR, leachate, or contaminated run-off to the ground or surface waters or to the atmosphere.					
(b) Prevention of the impoundment of water, sediment or slurry.					
(c) Slope stability to prevent the sloughing or movement of the final cover system during the closure and long-term care period.					
(d) Minimization of the need for long-term maintenance of the CCR landfill.					
(e) Complete closure in the shortest amount of time consistent with recognized and generally accepted good engineering practices.					
NR 506.083 (7) ALTERNATIVE CLOSURE REQUIREMENTS					
An owner or operator that is subject to closure for failure to demonstrate compliance with locational criteria under s. NR 514.045 (5) may continue to receive CCR in the CCR landfill provided the owner or operator meets all of the following:					
(a) The owner or operator of the CCR landfill certifies that the CCR shall continue to be managed in that CCR landfill due to the absence of an alternative disposal capacity both on-site and off-site of the facility. The owner or operator of the CCR landfill shall document that all of the following conditions have been met:					
No alternative disposal capacity is available on-site or off-site. An increase in costs or the inconvenience of existing capacity is not sufficient to support qualification under this subdivision.					
The owner or operator has made, and continues to make, efforts to obtain additional capacity. Qualification under this subdivision lasts only as long as no alternative capacity is available. Once alternative capacity is identified, the owner or operator shall arrange to use the capacity as soon as feasible.					
The owner or operator shall remain in compliance with all other operating requirements under ch. NR 506 and the requirements under chs. NR 507 and 508, including the requirement to conduct any necessary corrective action required under s. NR 508.06 (5).					
The owner or operator shall prepare an annual progress report documenting the continued lack of alternative capacity and the progress towards the development of alternative CCR disposal capacity.					
(b) Once alternative capacity is available, the CCR landfill shall cease receiving CCR and initiate closure following the timeframes under subs. (2) and (3).					
(c) If no alternative capacity is identified within 5 years after the initial certification, the CCR landfill shall cease receiving CCR and close under subs. (2) and (3).					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(d) An owner or operator that closes in accordance with this section shall complete and submit to the department the notices and progress reports in accordance with all of the following:					
1. Within 6 months of becoming subject to closure, the owner or operator shall prepare and submit a notification of intent to comply with the alternative closure requirements of this section. The notification shall describe why the CCR landfill qualifies for the alternative closure provisions of this section, in addition to providing the required documentation and certifications.					
2. The owner or operator shall prepare the periodic progress reports required under par. (a) 4., in addition to describing any problems encountered and a description of the actions taken to resolve the problems. The annual progress reports shall be completed according to the following schedule: ___ (a) The first annual progress report shall be prepared no later than 13 months after completing the notification of intent to comply with the alternative closure requirements. ___ (b) The second annual progress report shall be prepared no later than 12 months after completing the first annual progress report. Additional annual progress reports shall be prepared within 12 months of completing the previous annual progress report.					
The notification and progress reports shall be placed in the written operating record and posted on a publicly accessible internet site under s. NR 506.17 (2) and (3).					
506.084 LONG-TERM CARE MAINTENANCE REQUIREMENTS Long-term care of a new or existing CCR landfill or a lateral expansion of a CCR landfill shall be performed in accordance with the plan of operation approval issued by the department and all of the following:					
(1) Following closure of the CCR landfill, the owner or operator shall conduct long-term care for the CCR landfill in accordance with the approved long-term care plan required under s. NR 514.07 (10).					
(2) Long-term care of a new or existing CCR landfill or a lateral expansion of a CCR landfill shall be performed in accordance with the plan of operation, with perpetual long-term care responsibility under s. 289.41 (1m) (c), Stats., and all of the following:					
(a) The long-term care period for a CCR landfill is 40 years for purposes of record keeping under s. NR 506.17 (2) and proof of owner financial responsibility under s. NR 520.05.					
(b) No later than 60 days following the end of the 40-year long-term care proof period, a notification shall be submitted to the department and placed in the written operating record. The notification shall verify that the landfill is complying with the approved long-term care plan and long-term care requirements. The notification shall include a certification by a professional engineer.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
NR 506.17 Record keeping					
NR 506.17 (2) CCR LANDFILL WRITTEN OPERATING RECORD					
The owner or operator of a new or existing CCR landfill or a lateral expansion of a CCR landfill shall maintain a written operating record at the landfill during the operating life and 40-year long-term care period of the landfill, unless an alternative timeframe is specified under this section. The written operating record shall be maintained in accordance with all of the following:					
(a) The department may approve an alternate location for maintaining the record. The alternate location of the record shall be identified within the plan of operation.					
(b) An owner or operator of more than one CCR landfill may comply with the requirements of this section in one recordkeeping system provided the system identifies each file by the name of each CCR landfill.					
(c) Documentation shall be placed into the written operating record as it becomes available.					
(d) Documentation shall be submitted to the department upon request.					
(e) The written operating record shall contain the plan of operation, plan modifications, construction documentation, department approvals, annual reports, inspection records, monitoring and corrective action records, notifications to the department, and records of public comments received during any public comment period.					
(f) If records are developed within 5 years of the end of the 40-year long-term care period, the records shall be maintained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, record, or study.					
(g) Retention by the owner or operator of a new or existing CCR landfill or a lateral expansion of a CCR landfill of the following documents is only required for 5 years after the submittal date to the department:					
1. Annual reports required under s. NR 506.20 (3). 2. Documentation recording the results of the periodic inspections required under s. NR 506.20 (2).					
NR 506.17 (3) CCR LANDFILL PUBLICLY ACCESSIBLE INTERNET SITE					
Each owner or operator of a new or existing CCR landfill or a lateral expansion of a CCR landfill shall maintain a publicly accessible internet site titled "CCR Rule Compliance Data and Information" in accordance with all of the following:					
(a) An owner or operator of more than one CCR landfill may choose to comply with the requirements of this section by using the same internet site for multiple CCR landfills provided the internet site clearly delineates information by the name and license number					
(b) The information required to be posted to the internet site under par. (d) shall be made available on the internet site to the public for at least 5 years following the date on which the information was first posted to the internet site.					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(c) The information required to be posted to the internet site under par. (d) shall be posted to the internet site within 30 days of placing the information in the operating record.					
(d) The internet site shall contain all of the following information, if applicable:					
1. The plan of operation modification documents required under s. NR 514.045 (1), any subsequent modifications to the plan of operation, and the department's decision documents, including the notification of completeness required under s. NR 514.045 (3).					
2. Liner construction documentation and the department's decision documents for new CCR landfills.					
3. The annual groundwater monitoring and corrective action report.					
4. Documentation of the design, installation, development, and decommissioning of any monitoring wells, piezometers and other measurement, sampling, and analytical devices.					
5. The notification to the department of the establishment of an assessment monitoring program or any alternate source demonstration and the department's response under ch. NR 508, and any applicable site investigation work plan and department response, site investigation report, and notification of any exceedance of a groundwater quality standard.					
6. The notification to the department of a return to a detection monitoring program.					
7. The notification to the department of the initiation of an assessment of corrective measures requirements under ch. NR 508.					
8. The completed remedial action options report, which includes the remedial action selection, any addendum to the report, and the department's response.					
9. Documentation prepared by the owner or operator recording any public comments received during the public informational hearing under s. NR 508.06 (3) (e) for the discussion of the results of the remedial action options report.					
10. The semiannual report describing the progress in selecting and designing the remedy and the selection of remedy report, except that the selection of remedy report shall be maintained until the remedy has been completed.					
11. The notification to the department of the completion of the remedy. (e) For CCR landfills with a plan of operation approved after August 1, 2022, the internet site shall also contain all of the following: a. The feasibility report and department's decision document. b. The plan of operation and department's decision document. c. Any modifications to the feasibility determination or plan of operation approval and the department's decision documents					
NR 506.17 (4) CCR LANDFILL NOTIFICATION REQUIREMENTS					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
<p>(a) A notification required under ch. NR 507 or 508 or this chapter shall be sent to the department's waste and materials management program before the close of business on the day the notification is required to be completed. The notification must be postmarked or sent by email.</p> <p>Note: If a notification deadline falls on a weekend or state holiday, the notification deadline is automatically extended to the next business day.</p>					
(b) Notifications under par. (a) may be combined provided the deadline requirement for each notification is met.					
(c) Unless otherwise required, a notification under par. (a) shall be sent to the department within 30 days of placing the notification in the landfill's written operating record.					
NR 506.20 INSPECTION AND REPORTING REQUIREMENTS FOR CCR LANDFILLS					
NR 506.20 (1) PERIODIC INSPECTIONS					
A new or existing CCR landfill or a lateral expansion of a CCR landfill shall be inspected in accordance with all of the following:					
<p>(a) A person trained to recognize appearances or conditions of landfill structures shall do all of the following:</p> <ol style="list-style-type: none"> 1. At intervals not exceeding 7 days, after initial receipt of CCR by the CCR landfill, inspect for any appearances of actual or potential structural weakness and other conditions that are disrupting or have the potential to disrupt the operation or safety of the CCR landfill. 2. At intervals not exceeding 7 days, during the active operating life of the landfill, conduct a visual inspection to assess the effectiveness of fugitive dust control measures as required under s. NR 514.07 (10) (a) 3. 					
(b) The owner or operator of the CCR landfill shall maintain the results of the periodic inspections under par. (a) in the facility's written operating record for a period of 5 years.					
NR 506.20 (2) ANNUAL INSPECTIONS BY A LICENSED PROFESSIONAL ENGINEER					
<p>a) A licensed professional engineer shall annually inspect a new or existing CCR landfill or a lateral expansion of a CCR landfill to ensure that the design, construction, operation, and maintenance of the CCR landfill is consistent with recognized and generally accepted good engineering standards. The inspections shall be performed no later than December 31 of each year. The inspection shall, at a minimum, include all of the following:</p> <ol style="list-style-type: none"> 1. A review of available information regarding the status and condition of the CCR landfill, including files available in the operating record, such as the results of inspections under sub. (1) (a) 1., and results of previous annual inspections. 2. A visual inspection of the CCR landfill to identify signs of distress or malfunction of the CCR landfill. 					

Facility Name: _____

REGULATORY REQUIREMENTS	COMPLETE?			LOCATION	COMMENTS
	Y	N	NA		
(b) The licensed professional engineer conducting the inspection under par. (a) shall prepare a report following each inspection that addresses all of the following: 1. Any changes in geometry of the structure since the previous annual inspection. 2. The approximate volume of CCR contained in the CCR landfill at the time of the inspection.					
3. Any appearances of an actual or potential structural weakness of the CCR landfill, in addition to any existing conditions that are disrupting or have the potential to disrupt the operation and safety of the CCR landfill.					
4. Any other changes that may have affected the stability or operation of the CCR landfill since the previous annual inspection.					
5. Any deficiencies or releases identified during an inspection and documentation detailing the corrective measures taken. The owner or operator shall remedy the deficiency or release as soon as feasible and prepare documentation detailing the corrective measures taken.					
NR 506.20 (3) ANNUAL REPORT					
The owner or operator of a new or existing CCR landfill or a lateral expansion of a CCR landfill shall prepare and submit an annual report to the department and place the report in the facility's operating record by January 31 of each year. The annual report shall include all of the following components at a minimum:					
(a) An annual CCR fugitive dust control report that includes a description of the actions taken by the owner or operator to control CCR fugitive dust, a record of all citizen complaints, and a summary of any corrective measures taken.					
(b) The annual inspection report required under sub. (2) (b).					
(c) The annual groundwater monitoring and corrective action report required under s. NR 507.15 (3) (m).					
(d) The leachate pipe cleaning and inspection report required under s. NR 506.07 (5) (g).					
NR 514.07 Miscellaneous requirements for plans of operation					
(1)(i) and (j) Construction quality assurance / quality control plans. Will changes proposed to the landfill design or construction require updates to the construction quality assurance/ quality control plans? If yes, has an updated construction quality assurance and quality control plan been submitted in accordance with NR 514.07(1)(i) and (j)?					
NR 520.07 Cost Estimates					
(1m) Will changes proposed to the landfill design or operation impact the closure and long-term care cost estimates? If yes, has a revised closure and/or long-term care cost estimate been submitted in accordance with NR 520.07?					

Facility Name: _____

Legal Note: This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.