



November 19, 2021

FID# 113127300
Dane County
SW/Correspondence

Mr. John Welch, Director
Dane County Department of Waste & Renewables
1919 Alliant Energy Center Way
Madison, WI 53713

Subject: Completeness Determination for the Feasibility Report for the Eastern Vertical Expansion to the Dane County Landfill Site No. 2 (Rodefeld), License # 3018

Dear Mr. Welch:

The Department of Natural Resources (department) has reviewed for completeness the report titled "Feasibility Report, Eastern Vertical Expansion, Dane County Landfill Site No. 2 (Rodefeld)" dated May 14, 2021 and received by the department on May 17, 2021. The department has also reviewed the report entitled "Feasibility Report Addendum No. 1, Eastern Vertical Expansion, Dane County Landfill Site No. 2 (Rodefeld)" dated September 17, 2021 and received by the department on September 20, 2021. The addendum was submitted in response to the department's July 15, 2021 incompleteness determination. The feasibility report and addendum were prepared by SCS Engineers (SCS) on behalf of Dane County Department of Waste & Renewables.

Based on the department's review, the feasibility report is considered complete. This is not an approval of site feasibility but does confirm that the minimum information required by ch. NR 512, Wis. Adm. Code, and s. 289.24 (3), Wis. Stats., has been provided. Although the department has determined the feasibility report is complete, the department has additional comments and requests additional information prior to making a feasibility determination.

A solid waste feasibility determination is an integrated analysis action under s. NR 150.20(2)(a)7, Wis. Adm. Code. Therefore, the environmental analysis is integrated into the project summary and a separate environmental analysis has not been completed.

The department will post the enclosed public notice on its website at <http://dnr.wi.gov/topic/Waste/Comment.html> and in the *Wisconsin State Journal* as a class 1 public notice. The department will also post electronic copies of the feasibility report, including all addenda and associated documents, on its website. Once the notice and feasibility documents are posted on the website, a 30-day public comment period will begin.

Upon receipt of this completeness determination, ss. 289.24(4) and 289.32, Wis. Stats., requires that the applicant immediately distribute copies of the feasibility report, addenda and any additional information submitted as part of the feasibility report to the clerk of each affected municipality and the main public library in each affected municipality.

As the department continues its review of the feasibility report or if the department receives comments or questions during the public comment period, the department may request additional information to make a feasibility determination.

Although the department has determined the feasibility report is complete, the department has additional comments and requests additional information prior to making a feasibility determination.

Part I of this letter lists additional information needed to make a determination regarding site feasibility. Part II provides additional comments regarding site feasibility and matters related to landfill design, construction, or operation. The department would appreciate your response to these items no later than January 7, 2022 so that the department may complete its review within the required timeframes.

Please include the requested information as an addendum to the feasibility report. This information is intended for use by the public as well as the department in reviewing the proposed project. Please provide a copy of all information submitted to the department to each recipient of the feasibility report as required by s. 289.23 (4), Wis. Stats.

I. INFORMATION REQUIRED TO ISSUE THE FEASIBILITY DETERMINATION

The department requests the following information in its review of the feasibility report to make a determination of feasibility. The following items should be addressed as a 2nd addendum to the feasibility report.

1. Based on information provided in the feasibility report and the feasibility report addendum no. 1, baseline groundwater quality has not been established at replacement wells M-28R, M-302AR, and M-302BR. The replacement wells were installed in 2014. Proceed with collection of baseline groundwater quality data for replacement wells M-28R, M-302BR, and M-303AR in accordance with ch. NR 507, Wis. Adm. Code, as previously discussed. The collection of baseline groundwater monitoring data at all new or replacement monitoring wells located greater than 10 feet from the original well is required by conditions of approval and this may be considered noncompliance with a plan of approval if not submitted. Section 289.34(2), Wis. Stats. does not allow the department to issue a favorable feasibility determination if the facility is in non-compliance with the terms of the approved plan of operation.
2. Based on the department's GEMS database, it appears that data for lysimeter discharge volume pumped (parameter code 74064) has not been uploaded for the landfill's five lysimeters since September 2017. Per the August 13, 2014 Plan of Operation Approval and the April 14, 2021 Phase 11/12 Liner Construction Documentation Approval, lysimeter discharge volume pumped is required to be sampled monthly. Additionally, lysimeters 2 and 4 have not had any data uploaded since June 2019. Please submit the lysimeter discharge volume pumped data, as well as any data for lysimeters 2 and 4, if it is available, prior to the department making a feasibility determination. If the lysimeters are dry at the time of sampling, then please indicate this on the data submittals. The submittal of environmental monitoring data is required by conditions of approval and this may be considered noncompliance with a plan of approval if not submitted. Section 289.34(2), Wis. Stats. does not allow the department to issue a favorable feasibility determination if the facility is in non-compliance with the terms of the approved plan of operation.
3. Section 12.0 of the feasibility report discusses two options for final cover construction: a two-foot compacted clay layer or a geosynthetic clay layer (GCL) with a two-foot layer of barrier soil.
 - a. Clay layer option: a potential clay borrow source is identified directly adjacent to a clay borrow site that was approved in 1995 (Link Borrow Site). However, an Initial Site Inspection (ISI) and subsequent sampling for the property has not yet been completed, per s. NR 504.075, Wis. Adm. Code.
 - b. GCL with barrier layer option: barrier layer material for the GCL final cover design may use soil from the rooting zone layer of Phase 10, Cell 3 or from an offsite source. However, no sampling and testing has

been completed to determine if the Phase 10, Cell 3 rooting layer qualifies under s. NR 504.07(4)(a)(12), Wis. Adm. Code.

Per s. NR 512.15, Wis. Adm. Code, the feasibility report must include a copy of the department's ISI evaluation for the proposed soil borrow source and include documentation for the proposed soil borrow source as described in s. NR 504.075, Wis. Adm. Code. Please provide documentation for either the soil barrier layer source or the clay borrow source. An ISI is not required for the on-site soil barrier layer source, but soil test results should be provided.

II. ADDITIONAL COMMENTS

The following comments relate to site feasibility, the landfill design, construction, or operation of the proposed facility. Please address this with your response to the items in Part I above.

1. NR 140 exemption requests for chloride at replacement wells M-17AR and M-17BR were included in the feasibility report. The replacement wells were installed in June 2020 and baseline groundwater quality data is currently being collected at each well on a semi-annual basis. Based on the department's GEMS database, two rounds of chloride data have been collected at each of these wells. Based on discussion with the Drinking Water and Groundwater Program, exemptions may not be granted for parameters at wells with a limited amount of data available as the exemptions may not be necessary. Exemptions to groundwater standards may be revisited at a later date once more data is available. Per the requirements of s. NR 507.18(1), Wis. Adm. Code, a minimum of 8 samples are necessary to determine baseline groundwater quality for detection monitoring parameters.

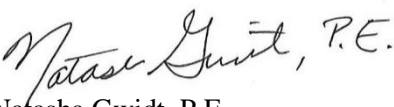
If you have any questions regarding this determination, please contact Tyler Sullivan, Hydrogeologist at 608-516-3962 or Tyler.Sullivan@wisconsin.gov, or Ann Bekta, Waste Management Engineer at 608-287-4492 or Ann.Bekta@wisconsin.gov.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review department decisions must be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed or otherwise served by the department, to file your petition with the appropriate Circuit Court and serve the petition on the department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

Sincerely,


Natasha Gwidt, P.E.
Field Operations Director
Waste and Materials Management Program

cc: Brian Hayes –Wisconsin Waste Facility Siting Board (e-copy)
Paul Swart –Wisconsin Department of Administration (e-copy)
Mike Wolf, Clerk – Town of Blooming Grove

Kim Banigan, Clerk – Town of Cottage Grove
Scott McDonnel, Clerk – Dane County
Maribeth Witzel-Behl, Clerk, City of Madison
Jane Jorgenson – Madison Public Library, Pinney Branch
Ryan Claringbole – Monona Public Library
Michael Spelman – Madison Public Library, Central Branch
E.D Locke Public Library
Jodi Coon – Little Wheel Field Airport
Richard Quale – Quale Airport
Cheryl Strassman – Blackhawk Airfield Inc.
Bobb Beauchamp – Federal Aviation Administration (e-copy)
Matt Messina – Wisconsin Department of Transportation (e-copy)
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Bill Phelps – DNR/ Drinking Water and Groundwater (e-copy)
Eric Rortvedt – DNR/Storm Water (e-copy)
Nathan Wells – DNR/Wastewater (e-copy)
Al Ramminger – DNR/Wetlands and Waterways (e-copy)
Weston Matthews – DNR/ Wetlands and Waterways (e-copy)
Ann Bekta – DNR/WA (e-copy)
Tyler Sullivan – DNR/WA (e-copy)
Valerie Joosten – DNR/WA (e-copy)
Joe Lourigan – DNR/WA (e-copy)
Kathryn Strom Hiorns – DNR/WA (e-copy)
Facility File – DNR/Janesville