

## Notice of Hearing

The Department of Natural Resources announces that it will hold a public hearing on a permanent rule to revise chs. NR 500 to 524, relating to landfills, solid waste management fees, financial responsibility and reporting requirements, at the time and place shown below.

### Hearing Information

Date: September 30, 2024

Time: 2:30 PM

Virtual Location: [Teams Meeting Link](#) or Join by phone 608-571-2209, Meeting ID 538869272#

### Rule Information

The proposed rule amends portions of chs. NR 500 to 524, Wis. Adm. Code, to incorporate changes to solid waste landfill requirements, solid waste management fees, financial responsibility, and reporting requirements. Many of these changes are designed to create consistency or provide additional clarity. This proposed rule reflects current industry standards and experience gained over the last 30 years related to the design, construction and operation of solid waste landfills while continuing to protect public health and the environment.

### Accessibility

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, DNR will, to the maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access these resources, please contact the email address or phone number listed below as soon as possible.

### Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form and by verbally registering with the Hearing Officer at the hearing. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, please download and complete the fillable [Hearing Appearance form](#) and send it to [kathrynm.stromhiorns@wisconsin.gov](mailto:kathrynm.stromhiorns@wisconsin.gov).

Comments on the proposed rule must be received on or before October 7, 2024. Written comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing.

Written comments and any questions on the proposed rules should be submitted to:

Department of Natural Resources  
Attn: Kate Strom Hiorns WA/5

P.O. Box 7921  
 101 S. Webster Street,  
 Madison, WI 53707-7921

The rule may be viewed at: <https://dnr.wisconsin.gov/news/input/ProposedPermanent>

Comments can also be made at: [DNRAAdministrativeRulesComments@wisconsin.gov](mailto:DNRAAdministrativeRulesComments@wisconsin.gov)

The rule may also be reviewed, and comments made at:  
<http://docs.legis.wisconsin.gov/code/chr/hearings>.

**Initial Regulatory Flexibility Analysis:**

In completing this Flexibility Analysis, the department assumes that no private solid waste landfills operating in Wisconsin meet the definition of a small business under s. 227.114 (1), Stats. (“small business” means a business entity, including its affiliates, which is independently owned and operated and not dominant in its field, and which employs 25 or fewer full-time employees or which has gross annual sales of less than \$5,000,000).

In general, all small businesses in the state may have a minimal economic impact because of changes to fees applied to solid waste disposed of in landfills. The definition of “small business” in s. 227.114 (1), Stats., does not match how small businesses are defined by the U.S. Census Statistics of U.S. Businesses, but the data are used here to show the limited impact an increase in landfill license surcharge fees would have on each individual business.

Year after proposed code change	License surcharge fee per ton of waste disposed (a)	Average annual fee collection <sup>1</sup> (b = a * 6,993,185 tons)	Additional fee increase in comparison to current rule (c = b - \$1,048,978)	Private Business Impact		
				Total fees borne by business (d = c/2)	Average fee borne per business unit (e = d/ 108,122) <sup>2</sup>	Average fee borne per small business unit (f = e * 86%) <sup>3</sup>
Current rule	\$0.15	\$1,048,978	-	-	-	-
First year (2026)	\$0.25	\$1,748,296	<b>\$699,318</b>	\$349,659	\$3	\$2.80
Second year (2027)	\$0.25	\$1,748,296	<b>\$699,318</b>	\$349,659	\$3	\$2.80
Sixth year (2031)	\$0.27	\$1,888,160	\$839,182	\$419,591	\$4	\$3
Eleventh year (2036)	\$0.30	\$2,097,956	\$1,048,978	\$524,489	\$5	\$4

<sup>1</sup> Based on 5-year average tonnage in each category of waste to which the surcharge fee is applied (6,993,185 tons). A majority of waste is reported as “municipal solid waste” that is a mix of household and business waste.

<sup>2</sup> 108,122 firms in Wisconsin in 2020 (U.S. Census Statistics of U.S. Businesses)

<sup>3</sup> 86% of all businesses/86% of fees impact; 93,112 firms in Wisconsin with 24 or fewer employees in 2020 (U.S. Census Statistics of U.S. Businesses)

**Agency Small Business Regulatory Coordinator:**

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