

FACT SHEET

Per s. 670.408, Wis. Adm. Code

Preliminary Determination - Hazardous Waste Facility Licensing

WM Waste, Inc.

Town of Dover, Racine County, WI

21211 Durand Avenue

Union Grove, WI 53182

EPA ID #: WIR00000035

February 28, 2024

INTRODUCTION

WM Waste, Inc. (WMWI) operates a licensed hazardous waste storage facility near Union Grove, WI, in the Town of Dover, Racine County. WMWI has applied to renew the license for an additional period of up to ten years. The application proposes the continuation of previously licensed hazardous waste storage activities, with no expansion or increases in these activities. Existing and proposed licensed operations include the storage of up to 92,675 gallons and 440 cubic yards of hazardous waste in containers within covered and containers storage units. WMWI proposes to accept and store the same types of hazardous wastes as previously licensed, and no waste treatment or disposal will occur.

WMWI submitted a Feasibility and Plan of Operation Report (FPOR), dated February, 2023, as part of their application. The FPOR describes in detail the design and operational characteristics and strategies that WMWI will follow to achieve compliance with the requirements of ch. NR 664, Wis. Adm. Code. WMWI has not requested alternatives to required standards.

PRELIMINARY DETERMINATION AND FINAL DECISION

The licensing process for hazardous waste facilities is established in ch. 289, Wis. Stats., and ch. NR 670, Wis. Adm. Code. The department has found WMWI's license application to be complete, and has preliminarily determined that:

- there is a need for the facility;
- an environmental impact statement is not required; and
- that the FPOR should be conditionally approved.

The department has developed a preliminary determination dated February 28, 2024 that includes approval conditions needed to provide compliance with chs. NR 660 through NR 670, Wis. Adm. Code, and to protect human health and the environment.

DOCUMENTS AVAILABLE FOR REVIEW

The administrative record consisting of the department's preliminary determination, the public notice and this fact sheet is available for public review at the department's website at <http://dnr.wi.gov/topic/Waste/Comment.html>, under the tab named "Hazardous Waste."

OPPORTUNITY TO COMMENT

To allow for public review and comment after the receipt of a complete and technically adequate FPOR, the department has issued a public notice of its preliminary determination. This notice was published in the Racine Journal Times and was announced through ads on local radio stations. The notice has been posted on the department's website at <http://dnr.wi.gov/topic/Waste/Comment.html>, under the tab named "Hazardous Waste."

The public notice includes information required by s. NR 670.410(4), Wis. Adm. Code. Pursuant to ch. 289 and s. 1.11, Wis. Stats., the public is invited to submit written comments concerning the preliminary determination to the department during the 45-day public comment period ending on April 18, 2024. All comments and/or requests concerning the above documents can be sent to: Douglas Coenen – WA/5, Wisconsin Department of Natural Resources, 101 S. Webster Street, Box 7921, Madison WI 53707-7921. Comments can also be submitted via email to douglas.coenen@wisconsin.gov. Members of the public can also contact Mr. Coenen to be placed on the department's mailing list for interested parties for this facility.

After the close of the public comment period and before issuing a final determination, the department will evaluate all comments received. Each person who submitted written comments or requested notice of a decision will receive a notice of the determination by the department. At the same time, the department will also respond to all significant comments, specify if there are any changes and indicate whether additional comments or new materials have been included in the administrative record. The department will then proceed to issue a final determination.

OPPORTUNITY TO REQUEST A HEARING

Pursuant to ss. 289.26 and 1.11, Stats., a public hearing concerning the FPOR and the preliminary determinations may be requested in writing by any county, village, city or town, the applicant, or any 6 or more persons. The request shall indicate the interests of the municipality or persons who file the request and state the reasons why the hearing was requested. The hearing shall be conducted as an informational hearing utilizing the procedures in s. NR 2.135, Wis. Adm. Code, unless the request filed indicates pursuant to section 289.27(1), Wis. Stats., that the hearing is to be treated as a contested case, as provided under section 227.42, Wis. Stats., and that:

1. A substantial interest of the person requesting the treatment of the hearing as contested case is injured in fact or threatened with injury by the department's action or inaction on the matter;
2. The injury to the person requesting the treatment of the hearing as a contested case is different in kind or degree from injury to the general public caused by the department's action or inaction on the matter; and
3. There is a dispute of material fact.

All hearing requests shall be filed with the department within 30 days after the publication date of this notice, either by delivery to the Office of the Secretary of the Department at 101 South Webster Street, Madison, WI 53703 or by mailing to the Secretary, Department of Natural Resources by certified mail at the following address: P.O. Box 7921, Madison, WI 53707.

WHO TO CONTACT

To request additional information, please contact the department's representative:

Douglas W. Coenen, Waste Management Engineer
douglas.coenen@wisconsin.gov
(cell) 608-843-2160