

PUBLIC NOTICE

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF THE PRELIMINARY DETERMINATION TO
CONDITIONALLY APPROVE A FEASIBILITY AND PLAN OF OPERATION REPORT
and
NOTICE OF INTENT TO RENEW AN OPERATING LICENSE
for a
HAZARDOUS WASTE STORAGE FACILITY AT

WM Waste, Inc.
21211 Durand Avenue
Union Grove, WI 53182
EPA ID #: WIR00000035

NOTICE IS HEREBY GIVEN, pursuant to s. 289.25(3), Wis. Stats., and NR 670.410(1), Wis. Adm. Code., that the Department of Natural Resources (department) has determined that the Feasibility and Plan of Operation Report (FPOR) submitted for an operating license for a hazardous waste storage facility at WM Waste, Inc. (WMWI) is complete, and:

- pursuant to s. NR 670.406(1), Wis. Adm. Code, that the department has made a preliminary determination to conditionally approve the FPOR;
- and pursuant to s. 289.25(1), Wis. Stats., that the department has made a preliminary determination that an environmental impact statement is not required;
- and pursuant to s. 670.406(4), Wis. Adm. Code, that the department has made a preliminary determination of need for the facility; and
- pursuant to s. 289.31(4), Wis. Stats., that the department intends to renew an operating license.

WMWI is located in the Town of Dover in Racine County.

WMWI currently operates a licensed hazardous waste storage and treatment facility, and has filed an application for the renewal of its hazardous waste storage licenses. The application proposes the continuation of previously-licensed hazardous waste storage activities, with no expansion or increases. Proposed operations include the storage of up to 92,675 gallons and 440 cubic yards of hazardous waste in containers within covered and contained storage areas.

The administrative record, consisting of the department's preliminary determination, this notice and a 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."

Pursuant to ss. 289.25(3) and 1.11, Wis. Stats., the public is invited to submit written comments concerning the FPOR and the preliminary determinations by April 18, 2024, which is at least 45 days after the date of publication of this notice on the department's website. Written comments can be sent to:

Douglas Coenen – WA/5, Wisconsin Department of Natural Resources, 101 S. Webster Street, Box 7921, Madison WI 53707-7921, or via email to douglas.coenen@wisconsin.gov. If any written comments are received, the department intends to provide additional public notice. Members of the public can also contact Mr. Coenen to be placed on the department's mailing list of interested parties for this facility.

Pursuant to ss. 289.26 and 1.11, Wis. 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 six 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 s. 289.27(1), Wis. Stats., that the hearing is to be treated as a contested case, as provided under s. 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 DNR 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.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Dated at Madison, Wisconsin on February 28, 2024.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
for the Secretary

Andrea Keller, Chief
Hazardous Waste Prevention & Management Section
Waste and Materials Management Program