

FACT SHEET

Per s. 670.408, Wis. Adm. Code

Preliminary Determination - Hazardous Waste Facility Licensing

Kestrel Hawk Landfill

City of Racine, Racine County, WI

1969 Oakes Road,

Racine, WI 53406

EPA ID #: WID076171008

FID: 252076990

May 14, 2026

INTRODUCTION

Kestrel Hawk Landfill was initially approved for solid waste landfilling by the department on April 20, 1970, under the issuance of License #572, and was later conditionally allowed to accept “toxic and hazardous waste” in accordance with the applicable state rules at that time. In 1980 the facility filed a notification of hazardous waste activity with U.S. EPA and continued under federal interim status to dispose of hazardous waste at the facility. The facility ceased hazardous waste disposal in 1982 and continued solid waste disposal operations ceased in 2022.

Both solid waste long-term care obligations under chs. NR 500-538, Wis. Adm. Code and hazardous waste long-term care obligations under ch. NR 670, Wis Adm. Code, including groundwater monitoring, corrective action, and financial assurance, will be covered under the same long-term care license. On April 4, 2025, Kestrel Hawk Landfill submitted an initial long-term care license application. After the department issued requests for further information to Kestrel Hawk Landfill on May 20, 2025, August 25, 2025, and October 15, 2025, Kestrel Hawk Landfill submitted a revised long-term care Feasibility and Plan of Operation Report (FPOR) on November 7, 2025. Responses to these information requests and additional clarifications were considered as part of the current preliminary determination.

This determination provides for the issuance of a solid and hazardous waste long-term care license for a 10-year term.

PRELIMINARY DETERMINATION AND FINAL DECISION

The licensing process for hazardous waste facilities is established in chs. 289 and 291, Wis. Stats., and ch. NR 670, Wis. Adm. Code. Long-term care licensure procedures are established in NR 520, Wis. Adm. Code. The department has found Kestrel Hawk Landfill’s license application to be complete and has preliminarily determined that the department intends to issue an initial long-term care license. The department has also determined that a separate environmental analysis is not needed, as this determination is an integrated analysis action, pursuant to s. NR 150.20(2)(a)7s. and s. NR 150.20(2)(a)(7), Wis. Adm. Code.

The department has developed a preliminary determination dated May 14, 2026, that includes approval conditions needed to provide compliance with chs. NR 500 through NR 599, and NR 660 through NR 670, Wis. Adm. Code, and to protect human health and the environment. The approval conditions also established requirements regarding corrective action obligations per s. 291.37, Wis. Stats.

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 facility licensing determinations.”

OPPORTUNITY TO COMMENT

To allow for public review and comment after the receipt of a complete and technically adequate license application the department has issued a public notice of its preliminary determination. This notice was published in the the Racine Journal Times and Wisconsin State Journal 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 ss. 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 July 10, 2026. All comments and/or requests concerning the above documents can be sent to: Kendra Fisher, Wisconsin Department of Natural Resources, 141 NW Barstow St., Room 180, Waukesha WI 53188. Comments can also be submitted via email to Kendra.Fisher@wisconsin.gov. Members of the public can also contact Ms. Fisher 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 final 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 289.27, Wis. Stats., a public hearing concerning the preliminary determination 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. There is no evidence of legislative intent that the interest is not to be protected;
3. 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
4. There is a dispute of material fact.

All hearing requests shall be filed with the department within 45 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:
Kendra Fisher, Waste Management Engineer
Kendra.Fisher@wisconsin.gov
(cell) 262-219-7335