

Summary of Changes Based on Public Comments

Thank you to all of the individuals and groups that provided feedback on the Department of Natural Resources (Department) proposed new internal guidance titled, "Alternate Daily Cover for Municipal Solid Waste Landfills".

The Department made the following changes based on the feedback:

1. Purpose of Daily Cover:
 - a. Clarified that "in some cases" the purpose of daily cover includes providing a suitable surface for vehicular traffic.
2. Technical Considerations – ADC Materials:
 - a. Added an introductory paragraph to explain the intent of this section.
 - b. Clarified when tarps must be repaired or replaced.
 - c. Clarified that tarps need to be secured and removed the statement regarding not placing tarps during high winds.
 - d. Removed the sentence regarding the notification process for contaminated soils.
 - e. Clarified the reason for recommending fine-grained contaminated soil be scarified or removed.
 - f. Added a statement to clarify that boiler ash needs to be tested in accordance with the landfill's special waste plan.
 - g. Clarified that papermill sludge should have greater than 40% solids to be effective as ADC.
 - h. Minor edits made under the considerations/potential issues for CRT glass, including clarification of when the land disposal requirement applies.
 - i. Clarified that s. NR538.10(4), Wis. Adm. Code only applies if the generator is participating in the Beneficial Use Program and wishes to claim the industrial byproduct was beneficially used as ADC.
3. Approval of ADC Materials:
 - a. Clarified the information regarding the handling and notification of rejected loads.
 - b. Removed the statement "if, in the Department's opinion, the amount of ADC exceeds the amount of cover required under the plan of operation or".
4. Possible Conditions of Approval:
 - a. Clarified that this list is not a complete listing of all possible ADC conditions and additional conditions may be appropriate.
 - b. Modified Condition #3 to remove the requirement to report ADC volumes and generator in the annual report and to allow the ratio of waste to ADC to be reported by weight.
 - c. Deleted the requirement to report all analytical data from Condition #3 and added reporting of analytical results to the C&D screening conditions.
 - d. Deleted all references to placing ADC materials no closer than 15 feet from the limits of waste and modified Condition #1 to address the prevention of runoff from ADC and tracking of waste materials.

- e. Deleted the condition regarding papermill sludge being limited to material that has > 40% solids. The physical properties of the material will be evaluated during the plan review stage and specific conditions will be applied where appropriate.
- f. Modified the ASR testing protocol to accommodate alternative production schedules.
- g. Added that TCLP PCB analysis may be used in place of the water leach test.
- h. Added that EPA Method 9056 may be used for the sulfate solubility analysis of C&D screening materials.

If you have any questions regarding these changes, please contact Valerie Joosten at (920) 662-5486 or Valerie.Joosten@Wisconsin.gov.

Response to Public Comments

For additional information we are also providing a response below to all of the public comments received. The comments have been summarized and grouped by topic. Some of the comments have been edited for the sake of brevity or clarity. Included at the end of this document are all of the public comments received.

General Comments

- Comment: We have a general comment about applicability. It is assumed that nothing in this document will be enforceable unless and until it is articulated in a permit document, such as a Plan of Operation/approval or a Plan Modification/approval. It would be helpful for this document to mention this.

Response: A Legal Note is included on the first page of the guidance document, which addresses this comment.

- Comment: As another general comment, note the specific ADC's listed and discussed in this document is not a complete list of ADC's that are already approved for use or that could be approved in the future. It would be helpful to mention this in the document.

Response: A paragraph has been added under Technical Considerations – ADC Materials that includes the recommended language.

- Comment: In the last bullet under "Purpose of Daily Cover": Insert the phrase "in some cases," before "provide a suitable surface for vehicular traffic". This suggestion is based on the fact that many areas covered by ADC are never used for vehicular roads/traffic, and do not have to provide a suitable surface for vehicular traffic.

Response: The suggested text was added. Please note this section pertains to the purpose of daily cover materials in general and not just alternate daily cover.

- Comment: Only some of the types of industrial byproducts (shredder fluff, CRTs), but not others (fly and bottom ash), require any kind of testing, even though the others contain a plethora of dangerous elements and compounds for which a MSW landfill is in no way designed.

Response: A statement has been added to the table clarifying that combustion (boiler) ash testing needs to be performed in accordance with the landfill's special waste plan. The required testing is to verify compliance with restrictions on acceptance of hazardous or toxic waste as defined by RCRA Sub C or TSCA rules.

- Three comments were received regarding a statement contained in the section for "Possible Conditions of Approval" under the subsections for: Contaminated Soil, Foundry Sand, Boiler Ash, and Auto Shredder Residue. The guidance stated that the respective ADC material "shall be placed no closer than 15 feet from the limits of waste at the elevation of its use." In general, the comments requested that this condition be eliminated and recommended revised wording.

Response: The statement has been deleted and general condition #1 has been revised to capture the Department's intent. The condition is "Alternate daily cover materials shall not be used as daily or intermediate cover in areas of the landfill where storm water contacting this material has the potential to run off beyond the limits of waste, such as exterior side slopes or final grades. Measures shall be taken to prevent tracking of alternate daily cover materials to outside the limits of waste placement."

- Comment: Rejected Loads/p.9. The protocol for rejected ADC materials should be consistent with the handling of any special waste that tests hazardous when reprofiled and the notification requirements under NR 506.19.

Response: The information regarding the handling of rejected loads has been revised to incorporate the suggested changes.

- Comment: Related to wording on boiler ash and c-soils (page 10): Both boiler ash and c-soils "...may not be tracked outside the limits of waste...", but for foundry sand, "measures shall be taken to prevent tracking...outside the limits of waste..." The semantics of the two phrases would suggest that as long as "measures" are taken to prevent foundry sand from leaving the limits, then that is all that needs to be done. Whereas, "may not be tracked" is a strict prohibition and no measures that may have been taken to prevent such tracking count or shall be considered. Additionally, given a strict prohibition, what are the repercussions should a truck tire hold some ash or c-soils and track outside the limits of waste.

Response: A general condition has been added that replaces the individual conditions regarding tracking of materials outside the limits of waste. The tracking of materials outside of the landfill's waste limits would be handled on a case by case basis. At a minimum, the landfill should clean-up any tracked materials if it occurs and additional control measures may need to be implemented.

Tarps

- Comment: There should be an allowance for minor tears that do not impair function.
- Comment: Tarps are still quite viable with a few small tears or holes, which do occur. Tarps are somewhat expensive and a small tear or hole surely does not warrant discarding the tarp. Who will determine what size holes or tears require repair (a dime-sized hole? a quarter-sized hole? a tear an inch long? two inches? more?)? Who will determine what holes or tears require discarding of the tarp? It would seem the verbiage found in the document is too broad to be enforced or even implemented.

Response: The Department agrees that tarps may still be effective with minor tears or holes and the guidance document has been modified to clarify this. The landfill operator needs to determine when a hole or tear in a tarp requires repair or replacement. The Department will evaluate the overall performance of the ADC materials during compliance inspections as indicated under the section of the guidance "Performance of ADC Materials".

- Comment: The potential for odors can occur when removing a tarp but also when stripping soil cover.
- Comment: Tarps are removed during the operational day, which will lead to greater release of methane and HAPs at the same time as gas generation is at its greatest. No consideration appears to have been given to this significant increase in air and GHG emissions. Rather the sole criteria appears to be cost and convenience to the landfill owner. This may not round out all of the factors to be considered.

Response: Odors or emission may be released once tarps are removed; however, membrane-type tarps are not sealed at the edges, and geotextile-type tarps are not barriers to gas movement through the fabric. In practice, the tarps are removed so that additional waste can be placed on the same area. The amount of time the waste is exposed prior to placing additional waste is limited. Tarps are currently being used as ADC in Wisconsin and an increase in landfill gas odors associated with the use of tarps as ADC has not been observed. It is a given that a landfill operator will see operational and financial benefit to use of ADC materials, but there are also reduced impacts from less use of clean soil, fewer acres of disturbed borrow sources, and reduced air emissions with excavating and transporting the soil into the landfill for use as daily cover.

- Comment: The guidance should require the operator to secure the tarp as needed, not prohibit placement during high winds.

Response: A statement has been added to indicate that tarps need to be secured. The statement indicating that tarps should not be placed during high winds has been deleted. The potential impact of wind on the placement of panels is already discussed in the table.

Contaminated Soil

- Comment: What is the notification process specified? (page 4)
- Comment: Regarding the determination of usage, the individual landfill's plan of operation and special waste plan should be controlling.
- Comment: What exactly is meant by "notification process should be specified to ensure that materials intended for disposal are not used for ADC"? (page 4 of 13)

Response: The sentence this refers to have been deleted, since the process for seeking Department approval of ADC materials is specified by s. NR 506.055, Wis. Adm. Code and Department approval of ADC is already required prior to use. It is not the intent of this guidance to address the content of the special waste acceptance plan.

- Comment: Rather than referring to "fine grained" material, a reference to NR 506.05 would be helpful.

Response: The sentence was modified; however, the Department believes the recommendation to scarify or remove fine-grained soils is appropriate since the intent is to prevent low permeability layers within the landfill that can restrict leachate or gas movement. The code requirement that was mentioned refers only to clay soils used for daily cover.

- Comment: Please allow placement of contaminated soil near and on outboard slopes if covered by at least 6" of clean soil.

Response: Any contaminated soil received for disposal would need to be handled in accordance with the landfill's special waste plan and plan of operation approval(s). The operational tactic described is not universal practice and would have to be specified in the request for use of ADC.

Papermill Sludge

- Comment: Please provide a regulatory reference for the requirement to test percent solids.

Response: S. NR 506.055(1)(a), Wis. Adm. Code requires the landfill to submit the chemical and physical properties for proposed alternative daily cover materials. Percent solids provide information pertaining to the physical characteristic of the waste.

Annual Reporting

- Comment: In the section entitled “Possible Conditions of Approval”, Item #3, 2nd sentence, add the phrase “or weight” after “ratio of waste to ADC by volume”. This suggestion is based on the fact that incoming materials are usually tracked by and reported in tons.
- Comment: The proposed expansion of the annual report to include all analytical data, tonnage, volume and ADC sources is excessive and unnecessary. Converting tonnage to volume and calculating waste to ADC ratios by volume is an inexact science. Operators should not be required to disclose customer identities in publicly accessible reports.

Response: The condition has been modified to remove the requirement to report volume, source (generator) and allow the ratio to be reported as volume or weight. For many landfills, alternate daily cover materials approvals are source specific due to variation in materials between generators or sources. Site specific conditions may still require the source or generator information in the annual report. The request to report analytical data has been deleted, since this is already included under the ASR conditions and it has been added to the C&D screening conditions. As mentioned in the guidance document, each situation and application is unique and the condition can be modified as needed by plan review staff if the information is not necessary for certain ADC materials or circumstances.

Auto Shredder Residue

- Under Possible Conditions of Approval, 20 a. Collection of samples assumes an 8 hr production cycle. Alter recommends this be modified to allow for flexibility in shorter daily production cycles. Each sampling event should consist of a minimum of 3 hrs of production, for instance. Due to the changing economic conditions and increased shredder production capacity in the state of WI (there are now 8 shredders in the state of WI vs. 4 shredders in the 1990s), collecting a representative sample over 8 hr production cycles can be difficult depending on the inventory and incoming supply to the shredder operation. By modifying the sample collection time slightly, it allows for the collection of ASR sampling to be more consistent with current operating conditions.

Response: The condition has been modified to accommodate shorter production cycles. It is the Department’s intent that the sampling be representative of the entire production cycle.

- Possible Conditions of Approval 20 d. Alter recommends replacing the water leach analysis with TCLP PCB analysis. The ASR profiling requires TCLP testing for several metals and this would be consistent with those requirements. Also, TCLP analysis replaced water leaching testing years ago and is a better evaluation as to the leachability of PCBs regarding ASR within a landfill environment.

Response: The condition has been modified to indicate that TCLP PCB analysis may be used in place of the water leach test. The TSCA rules on bulk product waste only reference a water leach

test, not the TCLP. The enhanced acidic conditions under which the TCLP procedure is conducted is not known to particularly enhance the leachability of PCBs.

- The operator should be required to minimize windblown ASR and address it as any litter. Prohibiting any windblown ASR, however, will effectively prevent any use of ASR as cover.

The condition requires the landfill operator to apply other cover material over the ASR if the material causes litter problems outside the limits of waste. ASR may contain PCBs and other metals, the Department believes it is important to address the source of the problem if litter problems occur due to the application and use of the material.

- What is the source of the ASR testing requirements? EPA's requirements have evolved over time in response to changes in auto manufacturing. Please verify that the proposed testing requirements are still appropriate.

Response: The testing requirements were developed by the Department, which is appropriate for a bulk waste product such as ASR that is being used as ADC in a MSW Landfill.

Amounts of ADC Used

- Comment: Historically, the State has required landfill operators to apply enough daily cover to minimize odor, windblown litter and vectors, but not less than 6-inches. In contrast, the reference to NR 538.10(4) on page 8 implies that foundry sand and other industrial byproducts can never be applied as ADC in layers thicker than 6". The 6" limit in NR 538.10(4), however, applies only if the generator and landfill are relying on beneficial reuse exemptions under NR 538.12, not if the landfill has obtained approval to use the material as ADC under NR 506. On the one hand, the draft requires analytical testing, advance approval and other NR 500 series conditions; on the other hand, the draft imposes a 6" limit that applies if you have followed a process exempting you from those conditions.

Response: S. NR 538.10(4), Wis. Adm. Code does apply if a generator of industrial byproducts is participating in the Beneficial Use Program and wishes to claim the material was beneficially used as ADC. This has been clarified in the guidance document. Since this is a code requirement, the Department believes it is important to note for Department staff. The comment also mentions that the guidance "imposes a 6" limit that applies if you have followed a process exempting you from those conditions". In accordance with s. NR 500.08, Wis. Adm. Code, the Department may grant an exemption from the requirements of chs. NR 500 to 538, Wis. Adm. Code in special cases. It is not the intent of the guidance to conflict with any Grant of Exemption Approvals that may have been issued.

- Two comments were received regarding a sentence in the guidance document that stated, "The Department may prohibit or limit the use of any ADC if, in the Department's opinion, the

amount of ADC exceeds the amount of cover required under the plan of operation...". The comments questioned how this would be interpreted and applied by the Department.

Response: The portion of the sentence that this refers to was deleted. It was not the intent of the guidance document to change the Department's approach or to address the amounts of alternate daily cover used.

Attachment: Public Comments received on Internal Guidance Document – Alternate Daily Cover for Municipal Solid Waste Landfills

Joosten, Valerie A - DNR

From: Morgan, Lynn <lmorgan@wm.com>
Sent: Thursday, April 24, 2014 2:52 PM
To: Joosten, Valerie A - DNR
Subject: Comments re ADC Guidance
Attachments: ADC 04 24 2014.pdf

Valerie, please accept the attached comments from Waste Management regarding the proposed ADC guidance. We'd welcome the opportunity to discuss these further with you.

Regards,

Lynn

Lynn Morgan
Public Affairs Manager
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WASTE MANAGEMENT

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COMMENTS REGARDING PROPOSED WDNR GUIDANCE FOR “ALTERNATE DAILY COVER FOR MUNICIPAL SOLID WASTE LANDFILLS”

April 23, 2014

1. We request an opportunity to meet with the Department prior to finalization of the guidance to provide input on the proposed limitations on the application of approved materials as alternate daily cover (“ADC”). As drafted, the proposed limitations would create significant new policy that should be set through statutory and rule changes, rather than guidance.

Historically the State has required landfill operators to apply enough daily cover to minimize odor, windblown litter and vectors, but not less than 6”. In contrast, the reference to NR 538.10(4) on page 8 implies that foundry sand and other industrial byproducts can never be applied as ADC in layers thicker than 6”. The 6” limit in NR 538.10(4), however, applies only if the generator and landfill are relying on beneficial reuse exemptions under NR 538.12, not if the landfill has obtained approval to use the material as ADC under NR 506. On the one hand, the draft requires analytic testing, advance approval and other NR 500 series conditions; on the other hand, the draft imposes a 6” limit that applies if you have followed a process exempting you from those conditions.

The draft also states that, “the Department may prohibit or limit the use of any ADC if, in the Department’s opinion, the amount of ADC exceeds the amount of cover required under the plan of operation” (page 9). Certainly this would be appropriate if the Department determines that ADC exceeds a limitation set in a plan of operation. The language, though, suggests a much broader power that would be based on opinion, rather than objective criteria. If a plan of operation requires minimum daily cover of 6”, would exceeding the minimum be deemed excessive? It’s one thing to ensure that the active area is covered by at least 6” of material. How would an operator ensure that daily cover applied to the uneven surface of the active area did not exceed 6”?

It’s not clear why these barriers would apply to ADC, but not to clean soil used as ADC.

2. Tarps/p. 3. There should be an allowance for minor tears that do not impair function. The guidance should require the operator to secure the tarp as needed, not prohibit placement during high winds.

The potential for odors can occur when removing a tarp but also when stripping soil cover.

3. Soil/p. 4. What is the notification process specified?

Regarding the determination of usage, the individual landfill's plan of operation and special waste plan should be controlling.

Rather than referring to "fine grained" material, a reference to NR 506.05 would be helpful.

4. Paper Mill Sludge/p. 6. Please provide a regulatory reference for the requirement to test percent solids.
5. Rejected Loads/p. 9. The protocol for rejected ADC materials should be consistent with the handling of any special waste that tests hazardous when reprofiled and the notification requirements under NR 506.19.
6. Annual Reporting/p. 9. The proposed expansion of the annual report to include all analytic data, tonnage, volume and ADC sources is excessive and unnecessary. Converting tonnage to volume and calculating waste to ADC ratios by volume is an inexact science. Operators should not be required to disclose customer identities in publicly accessible reports.
7. Placement On and Near Slopes, Berms and Waste Limits. Please allow placement of contaminated soil near and on outboard slopes if covered by at least 6" of clean soil. The reason for prohibiting any ADC within 15' of the final outboard slope is unclear.
8. Shredder Residue/p. 11. The operator should be required to minimize windblown ASR and address it as any litter. Prohibiting any windblown ASR, however, will effectively prevent any use of ASR as cover.

What is the source of the ASR testing requirements? EPA's requirements have evolved over time in response to changes in auto manufacturing. Please verify that the proposed testing requirements are still appropriate.

Joosten, Valerie A - DNR

From: Darren Engbring <Darren.Engbring@altertrading.com>
Sent: Thursday, April 24, 2014 12:44 PM
To: Joosten, Valerie A - DNR
Cc: Darren Engbring; Timm P. Speerschneider
Subject: Alternative Daily Cover for Municipal Solid Waste Landfills- Draft Guidance Comments Due 4/24/14

Ms. Joosten:

Alter Trading Corp. (Alter) operates four shredders in Wisconsin. Each shredder has a slightly different sampling and profiling requirement of our "Auto Shredder Residue" (ASR) which is routinely used at multiple landfills in the state as Alternative Daily Cover (ADC). The processes of profiling ASR presently utilized by Alter, as required by the landfill permits for which ASR is used as ADC, was developed in the 1990s, and Alter concurs it was well conceived and works well for our industry/operation. With that in mind, Alter has reviewed the "Alternative Daily Cover for Municipal Solid Waste Landfills" internal guidance document prepared 2/13/14 and offers the following comments to standardize how samples are collected and prepared for analysis. These comments primarily stem from Alter's desire that ASR profiling is uniform and consistent throughout its operating units and appreciates the Department's efforts to accomplish this.

Under Possible Conditions of Approval, 20 a. Collection of samples assumes an 8 hr production cycle. Alter recommends this be modified to allow for flexibility in shorter daily production cycles. Each sampling event should consist of a minimum of 3 hrs of production, for instance. Due to the changing economic conditions and increased shredder production capacity in the state of WI (there are now 8 shredders in the state of WI vs. 4 shredders in the 1990s), collecting a representative sample over 8 hr production cycles can be difficult depending on the inventory and incoming supply to the shredder operation. By modifying the sample collection time slightly, it allows for the collection of ASR sampling to be more consistent with current operating conditions.

Possible Conditions of Approval 20 d. Alter recommends replacing the water leach analysis with TCLP PCB analysis. The ASR profiling requires TCLP testing for several metals and this would be consistent with those requirements. Also, TCLP analysis replaced water leaching testing years ago and is a better evaluation as to the leachability of PCBs regarding ASR within a landfill environment.

Alter recognizes that each landfill permit issued can require specific requirements beyond "WDNR Guidance" but a current standard state-wide procedure is important for new landfill permitting and renewals as well as the shredding operations to have a "baseline" to follow. If you have any questions or wish to discuss this in greater detail, please feel free to contact me at 414-290-6553 or via email at

Darren Engbring

Miller Compressing Company/Alter Trading Corp
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Joosten, Valerie A - DNR

From: Doug W. Coenen <Doug.Coenen@advanceddisposal.com>
Sent: Thursday, April 24, 2014 11:22 AM
To: Connelly, Johnston P - DNR; Joosten, Valerie A - DNR
Subject: Draft ADC Guidance Document - Comments

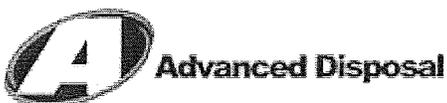
Thank you for the opportunity to review the draft technical guidance document entitled "Alternate Daily Cover for Municipal Solid Waste Landfill", Document Number WA1699, dated Feb. 13, 2014. Advanced Disposal respectfully submits the following comments:

1. We have a general comment about applicability. It is assumed that nothing in this document will be enforceable unless and until it is articulated in a permit document, such as a Plan of Operation/approval or a Plan Modification/approval. It would be helpful for this document to mention this.
2. As another general comment, note the specific ADC's listed and discussed in this document is not a complete list of ADC's that are already approved for use or that could be approved in the future. It would be helpful to mention this in the document.
3. In the last bullet under "Purpose of Daily Cover": Insert the phrase "in some cases," before "provide a suitable surface for vehicular traffic". This suggestion is based on the fact that many areas covered by ADC are never used for vehicular roads/traffic, and do not have to provide a suitable surface for vehicular traffic.
4. In the section entitled "Possible Conditions of Approval", Item #3, 2nd sentence, add the phrase "or weight" after "ratio of waste to ADC by volume". This suggestion is based on the fact that incoming materials are usually tracked by and reported in tons.
5. In the section entitled "Possible Conditions of Approval", Item #12 (regarding contaminated soil), Item # 14 (regarding foundry sand), Item #16 (regarding boiler ash, and Item #19 (regarding ASR): Each of these sections begins with the sentence, "(subject material) shall be placed no closer than 15 feet from the limits of waste at the elevation of its use." We do not believe it is necessary to impose this sort of limitation on ADC use when all contact surface water is properly contained and handled as leachate. Therefore, we recommend that this sentence be replaced by the following: "Any runoff from "(subject material) used as ADC shall be contained within the landfill and handled as leachate."

Please feel free to contact me if you have any questions or if we can be of further assistance.

Doug

**Doug W. Coenen | Regional Landfill Operations Manager
Midwest Region**



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Joosten, Valerie A - DNR

From: Field, Tyler <Tyler.Field@Cornerstoneeg.com>
Sent: Thursday, April 24, 2014 8:37 AM
To: Joosten, Valerie A - DNR
Cc: Bekta, Ann M - DNR
Subject: Internal Guidance Comment for "Alternate Daily Cover for Municipal Solid Waste Landfills"

Hi Valerie,

I have reviewed the internal guidance document for, "Alternate Daily Cover for Municipal Solid Waste Landfills," and have a comment on an item that I would like to see discussed. Contained in the section for "Possible Conditions of Approval" under the subsections for; Contaminated Soil (Item 12), Foundry Sand (Item 14), Boiler Ash (Item 16), and Auto Shredder Residue (Item 19), the guidance states that the respective ADC material, "shall be placed no closer than 15 feet from the limits of waste at the elevation of its use." I find this language confusing, unnecessarily limiting, and perhaps not adequate to meet the intent.

I am assuming the intent of this possible condition is to place an obligation on the landfill operation using a specific ADC to control or limit storm water contacting this material and prevent unmanaged contact water runoff past the limits of the waste.

If this assumption is correct, I respectfully request that the Department refrain from using the proposed language and arbitrary 15 foot elevation offset from limits of waste limitation, which depending on the location in relation to the limits may or may not prevent contact water from being contained.

In lieu of the presently proposed condition I suggest the department use such language as: Contaminated Soils shall not be used as daily or intermediate cover in areas of the landfill where storm water contacting this material has the potential to run off beyond the limits of waste, such as exterior side slopes or final grades. This same language could be applied to the Foundry Sand, Boiler Ash, and Auto Shredder Residue material as well.

Please consider my comment and let me know if you have any questions.

Kind Regards,

Tyler Field
Project Manager



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Joosten, Valerie A - DNR

From: Meleesa Johnson <Meleesa.Johnson@co.marathon.wi.us>
Sent: Wednesday, April 23, 2014 2:54 PM
To: Joosten, Valerie A - DNR
Subject: WA1699

Follow Up Flag: Follow up
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Just a few comments/questions regarding the guidance on alternative daily cover:

Related to the use of tarps (page 3 of 13): Tarps are still quite viable with a few small tears or holes, which do occur. Tarps are somewhat expensive and a small tear or hole surely does not warrant discarding the tarp. Who will determine what size holes or tears require repair (a dime-sized hole? a quarter-sized hole? a tear an inch long? two inches? more?)? Who will determine what holes or tears require discarding of the tarp? It would seem the verbiage found in the document is too broad to be enforced or even implemented.

Related to contaminated soils (page 4 of 13): What exactly is meant by "notification process should be specified to ensure that materials intended for disposal are not used for ADC"?

Related to amounts of ADC used (page 9 of 13): "The department may prohibit or limit the use of any ADC if, in the Department's opinion, the amount of ADC exceeds the amount of cover required under the plan of operation...". Does this mean if the department deems that a landfill has exceeded their allowance of ADC, despite the need for more cover material to either cover daily waste or degraded cover from previous days' waste, a landfill will be required to obtain more soils (that may be considerably more expensive) to provide required cover?

Related to wording on boiler ash and c-soils (page 10): Both boiler ash and c-soils "...may not be tracked outside the limits of waste...", but for foundry sand, "(m)asures shall be taken to prevent tracking...outside the limits of waste..." The semantics of the two phrases would suggest that as long as "measures" are taken to prevent foundry sand from leaving the limits, then that is all that needs to be done. Whereas, "may not be tracked" is a strict prohibition and no measures that may have been taken to prevent such tracking count or shall be considered. Additionally, given a strict prohibition, what are the repercussions should a truck tire hold some ash or c-soils and track outside the limits of waste.

Regards,
Meleesa
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Joosten, Valerie A - DNR

From: Peter Anderson <anderson@recycleworlds.net>
Sent: Tuesday, April 08, 2014 5:15 PM
To: Joosten, Valerie A - DNR
Subject: Draft ADC Guidance

1. Tarps are removed during the operational day, which will lead to greater release of methane and HAPs at the same time as gas generation is at its greatest. No consideration appears to have been given to this significant increase in air and GHG emissions. Rather the sole criteria appears to be cost and convenience to the landfill owner. This may not round out all of the factors to be considered.
2. Only some of the types of industrial byproducts (shredder fluff, CRTs), but not others (fly and bottom ash), require any kind of testing, even though the others contain a plethora of dangerous elements and compounds for which a MSW landfill is in no way designed.

Peter Anderson, Executive Director
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