

**BEFORE THE
DEPARTMENT OF NATURAL RESOURCES
DETERMINATION ON
PRIOR COMPLIANCE AND
WISCONSIN ENVIRONMENTAL POLICY ACT (WEPA) COMPLIANCE**

For

Plan Modification for the Proposed Expansion of Gleason Redi Mix Solid Waste Processing Facility

September, 2016

INTRODUCTION

The Wisconsin Environmental Policy Act (WEPA), s. 1.11, Wis. Stats., requires state agencies to fully consider and disclose the environmental impacts of agency actions. Chapter NR 150, Wis. Admin. Code, outlines policy and procedures for implementing WEPA for the Department of Natural Resources (DNR). Section NR 150.35, Wis. Admin. Code, requires a final written determination regarding prior compliance and WEPA compliance.

The Gleason Ready Mix facility is located at 3123 S. Memorial Drive in Mt. Pleasant, Racine County, WI. The facility is a construction and demolition (C&D) solid waste processing facility currently approved to accept less than 100 tons per day of construction and demolition waste into an enclosed facility where the materials are processed indoors. The proposed action is a plan modification approval for the facility to begin accepting greater than 100 tons per day of C&D waste in a new three sided, roofed structure. All of the processing would continue to occur indoors.

FINDINGS OF FACT

On April 4, 2016, the Department received a plan modification request for approval in Racine County.

Section NR 150.20, Wis. Admin. Code, establishes procedures to fulfill the requirements of s. 1.11 (2) (c), Wis. Stats., setting minimum procedural requirements for WEPA compliance. This solid waste processing plan modification approval with a footprint change to expand beyond 100 tons per day of material is a not listed prior compliance action in s. NR 150.20(3)(b), Wis. Admin. Code.

Pursuant to s. NR 150.20 (3) (b), Wis. Admin. Code, the Department may determine that an action not defined as a prior compliance action under s. NR 150.20 (3) (a) nonetheless meets the definition of prior compliance in s. NR 150.03 (21), Wis. Admin. Code.

Prior environmental analyses have been conducted for, a Pellitteri Waste Systems, Inc., facility located at 3123 S. Memorial Drive, Madison on January 8, 2010, and a City Wide Recycling, LLC., facility located at 7311 Omega Circle, Norway on January 16, 2009.

These projects are similar to the proposed project in kind, scale, and environmental setting

CONCLUSIONS OF LAW

1. The Department of Natural Resources, pursuant to s. 1.11 Wis. Stats., and ch. NR 150, Wis. Admin. Code, has the responsibility to comply with WEPA and the authority to determine its compliance with that Act. The proposed action meets the definition of prior compliance under s. NR 150.03 (21), Wis. Admin. Code. The procedure and analysis identified in the Findings of Fact complies with the requirements of s.1.11, Wis. Stats., and ch. NR 150, Wis. Admin. Code.

Dated at Madison, Wisconsin, this 9th day of September, 2016.

STATE OF WISCONSIN

Department of Natural Resources

For the Secretary

By: 

Matt Matrise

Waste and Materials Management Program Supervisor

Southeast Region