



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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May 29, 2007

TO: ALL WISCONSIN MUNICIPAL SOLID WASTE LANDFILL OWNERS AND OPERATORS  
ALL WISCONSIN TRANSFER FACILITY OWNERS AND OPERATORS

RE: DNR INSPECTIONS AND LANDFILL-BANNED RECYCLABLES

I am writing to remind you of an important part of Wisconsin's solid waste management regulations affecting landfill and transfer facility owners and operators.

Sections 287.07, Wis. Stats., and NR 506.095, Wis. Adm. Code, prohibit disposal of certain recyclable materials in Wisconsin landfills (see list on reverse side of this letter). For some of these materials, an exception is made for material originating in a municipality that has an "effective recycling program." However, once these materials have been separated for recycling as part of a municipality's effective recycling program, they may not be disposed of in landfills in Wisconsin.

Many of these landfill-banned materials have substantial market value and many consume large amounts of energy in their manufacture and distribution. It is important to recover as much of these materials as possible to minimize the environmental impacts of manufacturing replacement products using virgin materials and to reduce energy consumption. Because these recyclable materials serve as industrial feedstocks, recovering more of them is in everyone's interest—it may help preserve manufacturing jobs here in Wisconsin and elsewhere in the U.S.

DNR staff in the Waste and Materials Management Program look for accumulations of landfill-banned recyclables as part of their routine facility inspections. We recently modified our basic landfill inspection form to include a section on these prohibited recyclables. The inclusion of this topic on our form is intended to ensure that this important component of landfill and transfer station operation is consistently given proper emphasis. The new version of the form is attached.

Wisconsin's landfill and transfer station operators have done a great job ensuring that appliances, tires, yard materials, and lead-acid batteries are not disposed of at Wisconsin's landfills. We fully understand the practical constraints on most operators' abilities to police every load for other recyclable materials. All the same, our inspectors occasionally see loads containing significant quantities of clean cardboard and other materials like bags of cans and bottles that either were separated for recycling, or should have been. Usually, this indicates a deficiency in a local municipal recycling program as well as a failure to screen loads adequately at the landfill or transfer station. Our inspection form revisions are one way we are attempting to address these deficiencies.

Where there is a clear violation of a landfill ban (e.g., a major appliance, yard waste, waste oil, lead-acid battery, or a clearly separated accumulation of recyclables), we expect you to refuse the load and follow up with the hauler and/or the generator regarding the applicable prohibition. To avoid inadvertently accepting illegal loads, you should also work with the hauler or generator to address loads containing significant quantities of other recyclables such as cardboard, beverage containers, newspapers and office paper.

Wisconsin communities are required to operate under local recycling ordinances that they enforce. Our regional recycling specialists are prepared to assist you in following up with haulers, generators and local governments to minimize the disposal of landfill-banned recyclables and to ensure that effective recycling programs in Wisconsin municipalities really are effective. When necessary, the Department will pursue enforcement against appropriate parties to eliminate illegal disposal of recyclables.

Landfill airspace is a valuable commodity and should be reserved for residual materials that cannot readily be recycled. Thank you for your continued cooperation in ensuring Wisconsin's leadership in the area of waste and materials management. Please do not hesitate to contact Dennis Mack, Chief of the Recycling and Solid Waste Section, at 608-267-9386, if you have any questions about this letter.

Sincerely,

Suzanne Bangert, Director  
Waste and Materials Management Program

Enc.

cc: DNR Regional Recycling Specialists  
DNR Plan Review Engineers and Hydrogeologists  
DNR Regional Waste and Materials Management Program Supervisors

**Recyclable Items Prohibited from Disposal in Wisconsin Landfills**

Absolute bans:

- Lead-acid batteries
- Major appliances (except microwave ovens from which the capacitor has been removed)
- Waste oil
- Yard waste (except invasive species labelled as such and collected separately)

“Conditional” bans\*

- Aluminum containers
- Corrugated paper or other container board (i.e., “cardboard”)
- Foam polystyrene packaging (currently this ban is waived due to the unavailability of recycling)
- Glass containers
- Magazines and other materials printed on similar paper
- Newspapers and other materials printed on newsprint
- Office paper
- Plastic containers
- Steel containers
- Waste tires
- Bi-metal carbonated- or malt-beverage containers

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\* Conditional bans do not apply to materials generated in a region that has an effective recycling program as determined by the Department—the idea being that effective programs capture the majority of recyclables, and therefore an absolute ban on disposal of these materials is unnecessary. All Wisconsin municipalities currently have DNR-designated effective recycling programs. Conditional bans do, however, apply to materials that were separated for recycling as part of an effective recycling program.