

**6/7/05 Meeting Notes – Landfill Stability Workgroup**  
**Raptor Conference Room – South Central Region Headquarters**

website: <http://dnr.wi.gov/org/aw/wm/solid/landfill/stability/index.htm>

**Attending:** Sherren Clark (BT<sup>2</sup>), Bob Ham (UW-Madison), Gerard Hamblin (WMWI), Dan Leclaire (WMWI), Gene Mitchell (DNR), John Reindl (Dane County), Joe Van Rossum (UW-Extension/SHWEC), Todd Watermolen (Onyx), Brad Wolbert (DNR)

- I. Rule Language Concepts: The group spent most of the meeting discussing a preliminary, illustrative draft of stability code language prepared by DNR staff. The code language was an attempt to capture concepts from previous meetings.

The following comments were made on aspects of the DNR draft:

- The DNR would “approve” stability plans by reviewing them for completeness and incorporating them into the landfill’s plan of operation, similar to current practice for special waste plans, via a plan modification or, where the stability plan does not require a plan mod (e.g., diversion), a direct approval saying the plan is consistent with the code.
- The rule would define general requirements for a landfill stability plan (identifying and describing an approach for accelerating landfill organic stability). The details of implementing that plan would be found in existing or updated codes (e.g., processing facility standards, proposed RD&D code) and technical guidance. Some in the group questioned the need for separate approvals for the plan and for the implementation.
- The group discussed the need for landfills receiving plan of operation approval within the 2004-2007 transition period to submit a plan modification proposing an organic stability plan. Because of the challenges of re-designing existing sites and handling existing waste, there was some support for making the rules applicable only for those sites which have their operational plans approved after January 1, 2007.
- The tie-in to financial responsibility reductions is an important incentive; coordination is needed between our group and the financial responsibility workgroup that is gearing up. The rule does not establish a reward (such as reduced financial responsibility) for reaching the goals in the stability plan.
- Credit for diverting waste depends on a showing that the alternate facility provides a better environmental outcome than landfilling; this showing could be site-specific or generic.
- The rule as discussed thus far does not include “walkaway” standards, i.e., the level of stability that would allow the owner to completely eliminate financial and custodial obligations for the facility. The rule sets a goal only; we expect the walkaway criteria to be defined later, as sites get closer to achieving stability.

- The rule needs to provide some sort of credit for successful diversion, and some way of measuring it for new sites (e.g., comparing projected stability performance absent a diversion plan to actual stability performance with materials diverted).

Based on the discussion, the group agreed that the DNR draft rule was about right in terms of organization and level of detail. DNR staff agreed to revise the draft based on comments made during the meeting, and distribute it before the next meeting in time for group members to review prior to the July 12 meeting.

II. Timeline for Remaining Work: The group agreed on the following approximate timeline for remaining work on a landfill stability rule:

|                  |                                                                                     |
|------------------|-------------------------------------------------------------------------------------|
| July/Aug 2005 -- | refine draft rule;<br>share with selected commenters including Fin. Resp. Workgroup |
| Sept 2005 --     | finish draft;<br>check for consistency with EMS principles                          |
| Oct 2005 --      | share draft rule with external stakeholders                                         |
| Nov/Dec 2005 --  | make final revisions to draft rule;<br>DNR staff begin green sheet preparation      |
| Jan 2006 --      | DNR staff submit green sheet                                                        |
| Feb 2006 --      | DNR staff request hearing authorization from Natural Resources Board                |

III. Next Meeting: The next meeting will be Tuesday, July 12 at 1:00 pm in the DNR's SCR Raptor Conference Room, as previously scheduled. The following meeting is now scheduled for Tuesday, August 16 at 1:00 and will also be in the DNR's SCR Raptor Conference Room.

The primary purpose of the July meeting will be to discuss a revised draft of preliminary rule language.