**OCTOBER 27, 2022 MINUTES**

**SPECIAL SOLID WASTE COMMITTEE**

Meeting was called to order by Committee Chair, David Kuderer at 5:05 p.m. and informed all those present that this meeting was for informational purposes only.

Attendance:

Committee Board: Keith Giraud, Nodji Van Wychen, Eric Devine

Committee Members not present: Remy Gomez

Solid Waste Director, Dave Heser; Solid Waste Coordinator, Dawn Pingel

Other Members: Terry Taylor – Compactor Operator, Eric Lietz of Oakridge Engineering, Monroe County Administrator, Tina Osterberg, Monroe County Board Chairman, Cedric Schnitzler, Monroe County Board Member, Wally Habhergger; Jerry, Jake and John Martell of Modern Disposal; Monroe County Corporate Council, Lisa Aldinger Hamblin

Period of Public Comment: Jerry Martell reserved the right, no other public comments.

Solid Waste Director, Dave Heser, informed the group of the following information:

1. Air Space Volume
   1. We were recently informed from our Landfill Engineer, Eric Lietz of Oakridge Engineering that the remaining airspace on the current approved landfill space will be full as of November 25th, 2022…about 30 days from now. Which means as of November 25th, 2022, we will not have capacity or authorization by the WI-DNR to continue to accept waste until our Permit and Plan of Operations is approved.
2. Plan of Ops Update/WI-DNR Approval of Ops
   1. A request for more information was received by the WI-DNR on Friday the 21st of October. The WI-DNR has just started reviewing the 285-page document. This document covered the most recent request for additional information from the WI-DNR. They will take up to 90 days to review the document, however, they should be able to review it much faster. Once it is deemed complete, they will issue an approval letter.
   2. The WI-DNR informed the landfill in August that we did not have a construction Air Permit included in the Plan of Operations. After receiving this notification, Landfill Engineer, Eric Lietz, reached out to Megan Corrado from the WI-DNR about our options. We were directed towards a Registration Type A permit from our conversation with the WI-DNR. Landfill Engineer, Eric Lietz, completed the Registration Air Permit Type A on September 12th. On September 30th, we were informed that the Registration Type A was denied due to the maximum controlled emissions of perchloroethylene, vinyl chloride, acrylonitrile, benzene and bromodichloromethane are over the thresholds in Table A of ch. NR 445, Wis. Adm. Code. These hazardous air contaminants are subject to either BACT or LAER control requirements which makes the facility ineligible for ROP coverage (see below). They then stated that the landfill had the following options:
      1. Conduct testing and use site specific emission factors that could be lower than the values obtained from LANDGEM (gas volume).
      2. Conduct air dispersion modeling analysis to demonstrate the inhalation risk of each hazardous air contaminant subject to BACT or LAER is below the limit in s. NR 445.08(3), Wis. Adm. Code.

The landfill then contracted TetraTech environmental to move forward with the testing options given by the WI-DNR. During our meeting yesterday with the WI-DNR, we were told that the Registration Type A would not be possible even with the testing options due to documentation from 2010 in a previous Air Permit. This means we must do a full construction air permit. This process takes at least 50 days to complete.

1. Plan of Ops and Air Space Financial Plan
   1. The WI-DNR has stated that if we continue to operate after we know we are full, the fines could be up to $25,000 per day. If it takes us 30 days to achieve an air permit, that is possibly $750,000 in fines. However, they are hoping that we can show a good faith effort by diverting some waste. Some waste options that have been brought up as options for diversion:
      1. Fort McCoy refugee remodeling diverted
      2. City of Black River Falls until further notice
      3. Out of County Waste until further notice
   2. We are asking for a vote from the committee tonight to start diverting the waste from Fort McCoy’s cleanup project (will be completed in 2 weeks), as well as approval for sending out a letter to haulers stating that out of County Waste will be denied until further notice and the air permit is approved as well as a letter to Black River Falls.
      1. Also send letter out to haulers and municipalities telling them to prepare for the possibility to send their waste to another site after the 25th of November until we can get approved to take waste into the vertical expansion.

Committee Chair, Dave Kuderer, added that in 2007, the Solid Waste Committee voted to take garbage from other avenues. Chair, Dave Kuderer, also recapped what was discussed at the meeting with the WI-DNR the day before. Solid Waste Director, Dave Heser let the group know that a meeting was held with TetraTech this morning regarding the air permit and getting information. Chair, Dave Kuderer also mentioned the 30 day public hearing period and that the approval process could take up to 90 days. The current options available is the possibility of closing the landfill until the air permit and Plan of Ops is approved or be fined up to $25,000 per day. The WI-DNR would not say how much the fine would be and left it at that. This meeting and the next meeting following is to determine what to do next and authorizing Solid Waste Director, Dave Heser, authority to call haulers and also, to inform Fort McCoy that the Monroe County Landfill would not be taking their garbage loads.

Committee Member, Keith Giraud, asked how this crept up on us when the WI-DNR has been overseeing things. Solid Waste Director, Dave Heser, explained that we had been waiting for dates regarding the landfill capacity and we had received a couple of dates but nothing official. As soon as we received the data, the department shared it with the committee. Committee Member, Nodji VanWychen, asked if this was due to the refugee loads coming in that affected this. Solid Waste Director, Dave Heser, gave the numbers of the Fort McCoy demolition loads and footlocker loads that have come to the landfill so far. Chair, Dave Kuderer, said that this has been being worked on for at least seven months and information would be submitted that was needed to the WI-DNR and then the WI-DNR would come back wanting more information. Solid Waste Director, Dave Heser, then went over the air permit time frame that was taken/used setting things back more along with his discussion with Barbara from the WI-DNR who indicated that the class A permit would be doable and then in the meeting yesterday said the permit would not cover our needs and a full air permit was needed. Solid Waste Director, Dave Heser, explained back in 2010 when the original full air permit was given it did not cover the new expansion. The paperwork from 2010 that was submitted had already shown that the class A permit would not work. Chair, Dave Kuderer, also added that the old landfill information was to be included even though Ridgeville I was the original/first landfill, it also needed to add that information to the report even though there is a road separating Ridgeville I and Ridgeville II Landfill. Oakridge Engineer, Eric Leitz, explained the history of what had all been submitted in the past regarding the two landfills. The WI-DNR brought some of this past information up that was needed as well but Oakridge Engineer, Eric Leitz, has since given that information to them.

Chair, Dave Kuderer, addressed the committee members as to what their opinion was regarding the loads coming in. Jerry Martell from Modern Disposal asked when this started. Solid Waste Director, Dave Heser, stated the Plan of Ops began in 2017. Discussion regarding the permitting and process ensued.

Committee Member, Nodji VanWychen, stated that the committee should do everything we can in good faith and also reach out to Wisconsin Legislature to have them put pressure on the WI-DNR to get things done quicker. Chair, Dave Kuderer agreed with Committee Member, Nodji Van Wychen.

Motion by Committee Member, Nodji VanWychen, and seconded by Committee Member, Eric Devine, to let Solid Waste Director, Dave Heser, to inform Fort McCoy that future loads coming to the landfill will be shut off.

Chair, Dave Kuderer, suggested that a letter be sent out to everyone and agreed by Committee Member, Keith Giraud, to let the community know what the WI-DNR is doing to Monroe County. The Solid Waste Department would create the letter and approved through corporate council. Solid Waste Director, Dave Heser, asked for clarification regarding what Fort McCoy loads were to be diverted which Chair, Dave Kuderer, replied it should be all loads.

Oakridge Engineer, Eric Lietz, informed the group that historical numbers are used in regards to the tonnage numbers when calculating the landfill capacity.

County Board Chair, Cedric Schnitzler, said he would bring up reaching out to legislature at the meeting following this meeting. County Board Chair, Cedric Schnitzler then read a letter from the WI-DNR regarding information needed, and asked who would provide that information which Solid Waste Director, Dave Heser, said Oakridge Engineering.

Corporate Council, Lisa Aldinger Hamblin, asked about the Fort McCoy loads and the classification of what is all coming out. Solid Waste Director, Dave Heser, explained that when the refugees were here, the amount of trash coming to the landfill was substantial, taking landfill space away. This was addressed with Fort McCoy who then put a transfer station taking the large trash stream to another landfill. County Board Chair, Cedric Schnitzler, addressed that the letter to Fort McCoy be written by Corporate Council.

Adjournment: Motion by Nodji VanWychen and 2nd Keith Giraud to adjourn at 5:52 p.m. All ayes.