

plans describing site or facility feasibility and/or operation, except as otherwise provided in this chapter. The plan review fee specified herein shall accompany all plans submitted to the department for approval. Plan review fees are not transferable, proratable or refundable.

(3) Following closure of a land disposal site or facility, the owner or any successor in interest shall be required to have a license during the period of owner responsibility indicated in s. 144.441, Stats. The license shall be issued in accordance with sub. (1) except that the fee shall be \$50.00 per license period.

(4) For the purposes of plan review and license fees charged to land disposal facilities as provided in Table 1, the following shall apply:

(a) Plan review fees shall be charged on the basis of the maximum design capacity of the site, cell or module for which plans have been submitted. As an example, a feasibility report may be submitted for a 1 million cubic yard site requiring a review fee as specified for greater than 500,000 cubic yards; the plan of operation, however, may be submitted over a period of time in several modules. Each plan of operation review would be charged on the basis of the maximum design capacity of the module submitted.

(b) License fees shall be based on the total design capacity of the site being licensed including already deposited solid waste at the site. For sites which have not had a plan approval, the department shall make a reasonable estimate of the maximum design capacity of the site and shall charge a fee accordingly. For most township operated sites, the fee shall be as specified in the 0-50,000 cubic yard category.

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80; r. and recr. table 1, Register, March, 1984, No. 339, eff. 4-1-84.

Table 1
FEE SCHEDULE

NR 180	Facility Type	License Required	Plan Review Required	Plan Review Fees (1) (2)				License Fees				
				Initial Site Report (3)	Feasibility Report	Plan of Operation	Site Construction Documentation	Closure Plan	0-6 months	6-12 months	12-18 months	18-24 months and 2 yr renewals
.07	STORAGE FACILITY											
	Containerized	No	No									
	Non-containerized	Yes	Yes		300	300	150		75	150	225	300
.08	Collection and Transportation	Yes	No						40	80	120	160
.09	Transfer Facility	Yes	Yes			300	150		75	150	225	300
.10	Processing Facility(4)(5)	Yes	Yes		300	300	150		75	150	225	300
.11	Incineration(4)(5)	Yes	Yes		300	300	150		75	150	225	300
.12	Air Curtain Destructor	Yes	Yes			300	150		75	150	225	300
13.	LAND DISPOSAL FACILITY (6)	Yes	Yes									
	Landfill < 50,000 yds	Yes	Yes	700	1500	1500	150	150	100	200	300	400
	Landfill 50,000-500,000 yds	Yes	Yes	700	3000	2500	200	900	400	800	1200	1600
	Landfill > 500,000 yds	Yes	Yes	700	4500	2500	400	1200	1125	2250	3375	4500
	Surface Impoundment	Yes	Yes		1500	1500	400	150	375	750	1125	1500
	Plan Modification(7)	No	Yes		600	600		150				
.14	Land Spreading Plan	Yes	Yes			500			100	200	300	400
	Other(8)	Yes	Yes		150	150	150		75	150	225	300
.20	Exemption Request	No	Yes									

(1) The plan review fees specified in Table 1 cover the department's review from initial submittal through approval or denial of the report or plan. An applicant may revise or supplement a report or plan deemed incomplete and resubmit it without paying an additional review fee. The applicant shall pay a plan review fee as specified in Table 1 for resubmittal of a plan which has been previously denied or withdrawn after having been determined to be complete.

(2) The department may waive any plan review fee if it determines that the total review time is not likely to exceed 4 hours.

(3) For an Initial Site Report submittal which includes more than one site, the applicant shall pay a separate fee, as shown in Table 1, for each site.

(4) If an applicant chooses not to submit a feasibility report for a processing facility or incinerator, but rather makes the initial submission of the plan of operation, the fee for review of the plan of operation as given in Table 1 shall be increased by the amount of the fee indicated under feasibility in Table 1.

(5) The department shall waive the plan review fees and license fees for a processing facility or incinerator which has a primary purpose of converting solid waste into usable materials, products or energy.

(6) The applicant shall pay a maximum 2-year license fee of \$1600 for landfills which are licensed to accept only wastewater treatment plant sludge, ash, foundry waste, wood waste, demolition waste and other wastes of a similar nature not requiring daily cover pursuant to s. NR 180.13 (10) (a) 8.

(7) A plan modification, as referred to in Table 1, is a submittal which proposes to modify a feasibility report, plan of operation or closure plan previously approved by the department.

(8) Submittals termed as "Other" in Table 1 include such submittals as reports and plans required under s. NR 180.18, plans for woodburning facilities and plans for one-time disposal under s. NR 180.13 (2) (b) 2.

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ary of any public park, unless the site is screened by natural objects, plantings, fences or other appropriate means so as not to be visible from the highway or park.

5. Within wetlands.

6. Within critical habitat areas.

7. Within an area where the department after investigation finds that there is a reasonable probability that disposal of solid waste within such an area will have a detrimental effect on any surface water.

8. Within an area where the department after investigation finds that there is a reasonable probability that disposal of solid waste within such an area will have a detrimental effect on groundwater quality.

9. Within 10,000 feet of any airport runway used or planned to be used by turbojet aircraft or within 5,000 feet of any airport runway used only by piston type aircraft or within such other areas where a substantial bird hazard to aircraft would be created, unless a waiver is granted by the federal aviation administration, but this criteria is only applicable where such site or facility is used for disposing of putrescible waste such that a bird hazard to aircraft would be created.

10. Within 1,200 feet of any public or private water supply well.

(b) An applicant for an initial license or for approval of an expansion of an existing land disposal site or facility shall demonstrate to the department that the proposed site will be in compliance with all of the locational standards of this section for which no exemption has been granted. No exemptions from compliance with par. (a) 7 and 8 will be granted by the department. Exemptions from compliance with par. (a) 1, 2, 3, 4, 6, 9, and 10 may be granted only upon demonstration by the applicant of circumstances which warrant such an exemption. Exemptions from compliance with par. (a) 5 may be granted only in accordance with the standards to be applied in decisions affecting wetlands set forth in s. NR 1.95. The factors which will be considered by the department in determining whether or not to grant an exemption include waste types and characteristics, site or facility design and operational considerations, availability of other environmentally suitable alternatives, compliance with other state and federal regulations and the public health, safety and welfare.

(4) INITIAL SITE INSPECTION. Any person intending to establish a land disposal site or facility or expand an existing site shall contact the department to arrange for an initial site inspection.

(5) INITIAL SITE REPORT. (a) Any person, prior to submitting a feasibility report, may submit an initial site report in accordance with s. NR 180.06(1) to the department. The purpose of submitting this report is to obtain a preliminary opinion from the department on the potential of the site for development and the advisability of spending additional time and funds to prepare a feasibility report. The department shall review and respond to the initial site report within 90 days of receipt. A favorable determination under this section does not guarantee a favorable determination of site feasibility.

(b) An initial site report may be as detailed as the applicant chooses to make it. The greater the detail, the more certain the department can be

in its response. For guidance purposes, the following indicates the type and extent of information that might be submitted in an initial site report:

1. General site information. The report should identify project title; name, address and phone number of primary contact persons for department correspondence; consultant(s); present property owner; proposed disposal site owner and operator; site location by quarter section; total acreage of property and proposed licensed acreage; proposed site life and disposal capacity; municipalities, industries and collection and transportation agencies to be served; estimated waste types and estimated weekly quantities to be disposed; anticipated covering frequency and mode of operation.

2. Regional geotechnical information. A discussion of the regional site setting should be included to provide a basis for comparison and interpretation of any site specific information obtained through field investigations. The discussion should be limited to information available from publications although some field verification and updating may be desirable. The term "regional" as utilized herein is intended to include that area which may affect or be affected by the proposed site. In most instances this will be the proposed site, and the area within a ½-mile radius for sites with 50,000 cubic yards capacity or less and a one-mile radius for larger sites. The discussions should be supplemented by maps or cross-sections, where appropriate. The following items should be addressed:

a. Topography, including predominant topographic features.

b. Hydrology, including surface water drainage patterns and significant hydrologic features such as surface waters, springs, drainage divides and wetlands.

c. Geology, including the nature and distribution of bedrock and unconsolidated deposits.

d. Hydrogeology, including depth to groundwater, groundwater flow directions, recharge and discharge areas, groundwater divides, aquifers and the identification of the aquifer used by public and private wells within 1,200 feet of the proposed site.

e. Ground and surface water quality.

3. Land use information. A discussion of the present land use of the site and surrounding area should be included. The radius of coverage should extend to all areas that may affect or be affected by the proposed site. In most instances, this will be the proposed site and the area within ½-mile for sites with 50,000 cubic yards capacity or less and a one-mile radius for larger sites. The discussion should be supplemented by maps, where appropriate. The following items should be addressed:

a. Identification of adjacent landowners.

b. Zoning.

c. Present land uses with particular emphasis on known recreational, historic or archaeological areas.

TABLE 5

Waste Type Handled at Land Disposal Site	Parameters
Municipal Solid Waste	Water elevation, field pH, field conductivity, COD, dissolved iron, hardness, chloride, alkalinity.
Paper Mill Sludge Fly or Bottom Ash	Same as above.
Wood Waste	Water elevation, field pH, field conductivity, COD, hardness, alkalinity, sulfates, dissolved iron, boron.
Foundry Wastes	Water elevation, field pH, field conductivity, COD, hardness, dissolved iron, alkalinity.
Other Solid Waste	Water elevation, COD, field pH, field conductivity, hardness, sodium, alkalinity.
	As specified by the department.

8. No person shall begin filling operations at a new solid waste disposal site or facility until background groundwater quality in accordance with the parameters in Table 5 has been determined and results of such analyses submitted to the department.

(b) *Gas monitoring.* The department may require the installation of gas monitoring devices and sampling and analysis programs for protection against potential detrimental effects of gas production and to monitor the effectiveness of gas venting systems. Sample collection and analysis techniques shall be in accordance with standard methods.

(c) *Surface water monitoring.* The department may require monitoring of surface water runoff, leachate seeps, sump pumpings, sedimentation ponds and other surface water discharges resulting from site operation and of surface waters which may be affected by such discharges. Sampling times and parameters shall be as specified by the department.

(d) *Monitoring of physical features.* The department may require monitoring of air quality, landfill settlement, berm stability, vegetation growth, drainage control structures, or other aspects of site operation.

(e) *Operations report.* The department may request the owner or operator of any land disposal site or facility, or any person who permits the use of property for such purpose, to submit an operations report to assess the effectiveness and environmental acceptability of site operations. The contents of the report may include a discussion and analysis of entrance and access roads, windblown debris, confinement of active area, analysis of gas and leachate and other monitoring, cover to refuse ratios, surface water control and erosion control, revegetation, settlement, volume utilized, site users, leachate quantity and quality, slope stability, equipment performance and volume and type of waste accepted.

(12) **CLOSURE.** (a) Any person who maintains or operates a land disposal site or facility, or who permits use of property for such purpose shall, when the fill area or a portion thereof reaches final grade, or when the department determines that closure is required, cease to accept waste and close the site or portion thereof in accordance with any plan approval issued by the department and the following minimum practices:

1. At least 120 days prior to the closing of the site, the owner or operator shall notify the department in writing of intent to close the site. At the same time, or preferably prior to this date, the owner or operator shall notify all users of the facility of intent to close the site.

2. Within 10 days after ceasing to accept waste, the following shall be accomplished at a minimum:

a. Access shall be restricted by the use of gates, fencing or other appropriate means to insure against further use of the site. In the event the site final use allows access, such access shall be restricted until site closure has been completed and approved by the department.

b. Notification of closure shall be posted at the gate by proper signs indicating date of closure and alternative disposal site(s).

c. Notice shall be published in a local newspaper and a copy of the notice shall be provided to the department within 10 days of the date of publication.

3. Within 60 days after ceasing to accept waste, closure shall be accomplished in the following manner:

a. The entire area previously used for disposal purposes shall be covered with at least 2 feet of compacted earth sloped adequately to allow surface water runoff. A specific soil type may be required by the department for this 2-foot layer. Fine grain soils should be utilized to minimize infiltration. Top slopes shall be no less than 2%. Side slopes shall be no steeper than 33%.

b. Surface water shall be diverted to limit potential for erosion and sedimentation. Wherever possible, surface water shall be diverted around previously filled areas. Where it is necessary to divert drainage over previously filled areas, drainage shall be conveyed by clay lined drainage swales having a minimum depth of 2 feet.

c. The finished surface of the filled area shall be covered with a minimum of 6 inches of topsoil.

4. Within 90 days after ceasing to accept waste, seeding, fertilizing and mulching of the finished surface shall be accomplished in accordance with the site final use. The seed type and amount of fertilizer shall be selected depending on the type and quality of topsoil and compatibility with native vegetation.

5. Following closure of the land disposal site, the site shall be inspected and maintained by the owner or operator until it becomes stabilized or until the responsibility of the owner or operator terminates in accordance with the plan approval. The department may require installation of groundwater and leachate monitoring wells or other devices, groundwater and leachate quality sampling and analysis programs, gas monitoring and sampling and provisions for the protection against detrimental effects of leachate and gas migration from any land disposal site.

(13) Closure plans may be required by the department for sites and facilities not approved under this section. The department may require that the plans address any or all of the information outlined in subs. (6), (7), (10), and (11).

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80; am. (5) (a), Register, March, 1984, No. 339, eff. 4-1-84.