



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

February 9, 1978

BOX 7921
MADISON, WISCONSIN 53707

4410

IN REPLY REFER TO: _____

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DNR - WCD

Mr. Earl Pedretti
Chairman, Tn. of Onalaska
Route 2
Onalaska, Wisconsin 54650

Dear Mr. Pedretti:

Enclosed is a special order issued by the Department of Natural Resources relating to operations of your solid waste management facilities.

This order is issued pursuant to Section 144.35, Wisconsin Statutes, and Chapter NR 151, Wisconsin Administrative Code. It is based on a field investigation and finding that your solid waste management operations are not in full compliance with State standards.

If a public hearing on this order is desired, written notice must be given to the Department no later than 10 days after the date the notice and order are served.

Should the order become delinquent, your attention is directed to Section 144.536 and Section 144.57, Wisconsin Statutes, which provide for enforcement of the order by the Attorney General and forfeitures of from \$10 to \$5,000 per day for each day of violation, failure or refusal to obey the provisions of the order.

If you have any questions with regard to this matter, please contact Mr. Charles Kozel, Assistant District Director, West Central District Headquarters, 1300 West Clairemont Avenue, Eau Claire, Wisconsin 54701.

Sincerely,
Division of Enforcement

Andrew C. Damon
Administrator

Enc.
West Central District



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BOX 7921
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Town of Onalaska

Order Number 2A-78-1187

Findings of Fact

THE DEPARTMENT FINDS:

1. That the order above-named recipient owns and operates a solid waste disposal facility located in the SW 1/4 of the SE 1/4 of Section 9, T17N, R8E, Town of Onalaska, La Crosse County, Wisconsin; Department of Natural Resources license number 507.
2. That said facility is being operated without positive surface water drainage controls incorporated in the design.
3. That said facility has accepted for disposal quantities of potentially hazardous industrial waste.
4. That said facility is located in an area of permeable soils from which the Department finds that solid waste or leachings therefrom may have a detrimental effect on the ground water quality.
5. That said facility is being operated without proper engineering plans and specifications as delineated in NR 151, Wisconsin Administrative Code, Solid Waste Management Rules.

Conclusions of Law

1. The Department of Natural Resources is authorized by Section 144.31, Wisconsin Statutes, to promulgate rules implementing and consistent with ss 144.30 to 144.46, Wisconsin Statutes.
2. The Department of Natural Resources is authorized by Section 144.43, Wisconsin Statutes, to establish standards for the location, design, construction, sanitation, operation and maintenance of solid waste disposal sites and facilities.
3. Said standards are contained in Chapter NR 151, Solid Waste Management, Wisconsin Administrative Code.

4. Section 144.44(1), Wisconsin Statutes, provides that after the Department has promulgated minimum standards for the location, design, construction, operation and maintenance of solid waste disposal sites and facilities, no person shall establish, maintain, conduct or operate a solid waste disposal site or facility which does not adhere to such minimum standards. Such sites or facilities shall be licensed annually by the Department, providing they comply with said standards.

5. Section NR 151.05, Wisconsin Administrative Code, states that it shall be unlawful for any person to establish, maintain, conduct or operate a solid waste disposal operation without first obtaining an annual license from the Department and requires that application for licensing of a solid waste disposal operation be received by June 1 of each calendar year.

6. The Department of Natural Resources is authorized by Section 144.35(1)(a), Wisconsin Statutes, to order necessary corrective action be taken whenever the Department has reason to believe that a violation of Sections 144.30 to 144.46, Wisconsin Statutes, or any rule pursuant thereto has occurred.

Order

THE DEPARTMENT, THEREFORE, ORDERS:

1. That, by April 15, 1978, the order recipient shall submit a report to the Department detailing the existing infield conditions at the solid waste disposal site indicated in Findings of Fact No. 1. The report shall include:

a. A locational map indicating the location of the existing site in relation to the surrounding communities, municipalities, major land forms such as rivers and lakes, major roads, railroads, bulkhead, floodplain and floodway lines, and other surrounding land use details. Details as mentioned above should be indicated to within a radius of 3 miles from the site on a scale not greater than 1 inch = 1,000 feet.

b. A detailed topographic map of the site and the area within a distance of 500 feet surrounding the site indicating the existing topography. The scale of the map should not exceed 1 inch = 200 feet and the contour intervals shall be 2 feet. The topographic map should indicate the location of all soil borings performed during the investigation of the site and the location of ground water monitoring wells. Existing excavations, ground cover vegetation, drainage swales, existing fill areas, areas that have been abandoned, bulkhead, floodway and floodplain lines, property boundary lines, and other applicable details that will be affected or utilized in the continued operation and ultimate abandonment of this site should be included on this map.

c. A report describing the physical characteristics and present physical status of the existing landfill site, including the facilities served by the site; materials disposed of at the site; general soil types found at the site; hydrogeologic characteristics of the site, including water table and bedrock locations; method of operation utilized at the site; and physical characteristics of the site, including topography, cover materials available at the site, and features surrounding the site. In addition, this report shall address the present environmental problems of operating the site and the potential problems of abandoning such a site.

d. A determination of the quality and quantity of industrial waste deposited at the site shall be included in the infield conditions report. The effect of this waste on the surrounding environment shall be assessed and indicated in the report.

2. That by June 1, 1978, the Department agrees to respond to the order recipient indicating the completeness and acceptability of the report as indicated in order provision number 1. The Department will also indicate at that time under what conditions the disposal operations shall or may continue at the site, either:

a. If the site is not feasible for further development as a land disposal facility, as determined by the Department, the order recipient shall submit an interim operating and abandonment plan, prepared by a registered professional engineer, calling for complete and final abandonment of the facility by September 30, 1979, or

b. If the disposal site is determined to be environmentally feasible for continued development, the order recipient shall submit engineering plans and specifications for continued operation of the site.

3. That by August 1, 1978, the order recipient shall submit to the Department an acceptable interim operating and abandonment plan or engineering plans and specifications for continued operation of the site as referred to in order provision number 2.

4. That by November 15, 1978, the order recipient shall implement the approved interim operating and abandonment plans or engineering plans for continued operation of the site. The ultimate abandonment of said facility shall be completed in accordance with the approved engineering plans and in accordance with any approvals issued subsequent to this order.

Dated at Madison, Wisconsin, this 9th day of February, 1978.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By Andrew C. Damon
Andrew C. Damon, Administrator
Division of Enforcement

cc: West Central District