



George E. Meyer
Secretary

~55 People

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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**Refuse Hideaway Landfill Superfund Site
Public Meeting
Middleton Town Hall
February 23, 1995
7:00 p.m.**

July 7

AGENDA

- Introduction
- Purpose of Meeting Cara Norland, DNR
- Division of Health Involvement Kim Bro, DOH
- Brief Background
- Options for the Cleanup Action Terry Evanson, DNR
- Recommended Option
- EPA Involvement Laura Evans, EPA
- Questions and Public Comments

(Written comments will also be accepted. The Public Comment period ends March 14, 1995. Please take time to review and comment on all options outlined in the Proposed Plan.)

If you have any questions or concerns, contact us anytime:

Terry Evanson, Project Manager, DNR - SW/3, P. O. Box 7921, Madison, WI 53707 (608) 266-0941

Laura Evans, EPA Project Manager, EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604 (312) 886-0851

Cara Norland, Community Relations, DNR - SW/3, P. O. Box 7921, Madison, WI 53707 (608) 267-0540

Kim Bro, Environmental Engineer, Division of Health, 1414 E. Washington Ave., Madison, WI 53707 (608) 267-6845



DOCUMENT #65

**TRANSCRIPT FOR REFUSE HIDEAWAY LANDFILL
PROPOSED PLAN MEETING HELD 2/23/95**

**Attached: Meeting notes from Cara Norland
Outline of Presentation from Terry Evanson
Transcript of Public Comments from the meeting**

Notes from Cara Norland, presented at Refuse Hideaway Landfill Proposed Plan Meeting held 2/23/95:

Intro: Welcome to meeting

Sign in,
agenda --- Introduce Kim, Terry, Laura and Kirsten
questions,
tape recorder and court reporter,
public comments,
administrative record at Middleton library

Purpose is to get your opinions on these cleanup options and to answer your questions
Public meeting combined with a public hearing - reason for court reporter

Just a recommended option - can't always answer your comments

When you make your comment, please state your name (and spell it if it is unusual) and make your statement in the form of a comment. IF you would like to send written comments, please send them to Terry at the address on the fact sheet and agenda by March 14 (Tuesday).

We will respond formally to your comments in a document called a Record of Decision (ROD) which is a document which explains the decision made to clean up the site. Avail. in Admin. Rec.

If you would like more information on the cleanup options, visit the Middleton Library to look at the administrative record for the site.

Superfund Process:

Identification/Assessment

NPL listing -- When obvious remedy, do it - limited

Remedial Investigation

Feasibility Study

Proposed Plan

Public Input - please comment on all of the options

(Superfund Law allows for an extension of the public comment period for thirty days. If you would like an extension, you can make that request tonight or before the end of the public comment period.)

Design and Start the Cleanup

We will also be around after the meeting if you have any individual concerns or questions.

2/23/95

PUBLIC MEETING/HEARING

REFUSE HIDEAWAY LANDFILL PROPOSED PLAN

I. Background

[SLIDES]

- Gas/Leachate Extraction System
- Repair Cap Soils
- Point-of-Entry Treatment Systems
- Groundwater Investigation

II. Superfund

- EPA/DNR agreement - federal \$ for RI/FS
- RI is completion of previous work
 - [OVERHEADS]
 - Groundwater flow
 - Contaminant Plume
- FS considers cleanup options
 - Evaluation Criteria
 - Summary of Cleanup Options
 - [OVERHEADS] of options
- Proposed Remedy
- Total Cost of Proposal [OVERHEAD]

III. Future Actions

- Record of Decision
- EPA/DNR negotiations with PRPs
- Laura Evans will speak to future EPA actions

STATE OF WISCONSIN

DEPARTMENT OF NATURAL RESOURCES

REFUSE HIDEAWAY LANDFILL SUPERFUND SITE
PUBLIC MEETING

DATE: February 23, 1995

PLACE: Middleton Town Hall
7555 West Old Sauk Road
Town of Middleton

APPEARANCES: CARA NORLAND, Community Relations, Wisconsin
Department of Natural Resources, P.O. Box
7921, Madison, WI 53707.

TERRY EVANSON, Project Manager, Wisconsin
Department of Natural Resources, P.O. Box
7921, Madison, WI 53707.

KIM BRO, Environmental Engineer, Wisconsin
Division of Health and Social Services,
Division of Health, 1414 East Washington
Avenue, Madison, WI, 53707.

LAURA EVANS, United States Environmental
Protection Agency, Region 5, 77 West Jackson
Boulevard, Chicago, IL, 60604.

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Milan J. Loersch
Court Reporter

1 UNIDENTIFIED CITIZEN: We've been going on two and
2 a half hours; are we going to have time for statements yet?

3 MS. EVANSON: We are hoping to get to that. You're
4 welcome to make a statement.

5 MS. NORLAND: Go ahead.

6 MR. SWANSON: I'm Randall Swanson and I own
7 Sunnyside Farms. I'm the third one in the group that is in
8 trouble because of the contamination. The other two were
9 awarded filters in their homes at quite a cost to the DNR.
10 I was refused it because my well didn't meet the modern
11 specifications. Now the only reason the two got theirs and
12 I didn't was because mine didn't meet the specifications. I
13 had a fine well and the tests done every year were all
14 right.

15 So I felt that the DNR, that they should build me a
16 well. We went quite a ways in that direction and sometime
17 back it was decided that I put in another well. Times now
18 have changed. I'm asking you to put in 60 feet of pipe so
19 you could pick up no water in less than 60 feet and that was
20 going to meet the specifications of the well. And the well
21 driller come and we pretty much decided that that's what we
22 were going to do.

23 Just about at that time the DNR thought they knew
24 where the contamination was and how deep it was. And Craig
25 Schultz saw that and he said go ahead and build a new one.

1 And he did 400 feet or a little more and he found it was
2 contaminated and that left him with a little egg on the face
3 of the DNR. But I suppose there was contamination there.
4 And that meant that I they told me that these parameters
5 were all off. They were going to help me a little bit with
6 the cost of the well and bring some of the other things up
7 to code. But they said that's off now because we found this
8 contamination in this deep well. So here I am on the same
9 basis. I can't get any -- really, I suppose if I put in a
10 deep well, then the DNR may put on a filter.

11 But I think they caused it in the first place.
12 They gave the dump the permits. They went ahead and they
13 knew more about the dump really and that it doesn't fit the
14 situation at that time even.

15 But anyways, that's not Terry's fault. Terry isn't
16 to blame for that because she wasn't around at that time.

17 So now we are back to what I should do, whether I
18 should try to drill a well on my own and then the DNR, they
19 indicated that they probably would put in the filter if I
20 did that. So I don't know where to do it or how deep to go
21 or anything about it. So I think we are going to do
22 something at this point.

23 I told Terry, I thought I might take what action I
24 could against the DNR because I felt it was discrimination
25 because they were doing this at many thousands of dollars'

1 expense for the other two people with nothing for me except
2 I do get a bottle of water, which is not a big thing at
3 best. But I feel that I'm entitled to the same
4 consideration of the other two places.

5 And that brings us to number three though. That's
6 the statement, that I may take court action against the DNR
7 and I'm considering it seriously. And that's where we
8 stand, whether we should go ahead with the well. And I'm
9 between a rock and hard place right now. I've a bad well.
10 We don't have any water and we can't use it and we can't get
11 a filtering system on it because it isn't up to code.

12 So there we are. That's the statement that I
13 wanted to make. And I appreciate it. I appreciate having
14 all of these questions answered. It's a wonderful meeting
15 and it's lasted too long and it's way past my bedtime right
16 now. And I'll do my best anyway.

17 MS. NORLAND: Any other comments? If you don't
18 feel comfortable making comments, make sure and write
19 statements to us. And don't just go home and put the
20 statement on your coffee table and forget it. Do send them
21 in. We do sincerely want them. This isn't a hollow gesture
22 type of thing that we are asking for; we really do want your
23 comments.

24 If you would like to send your written comments,
25 that would be great. Send them to me by March 14. And if

1 you'd like an extension to look the to feasibility study, if
2 you want an extension, you can ask for a 30-day extention,
3 just ask for it.

4 UNIDENTIFIED CITIZEN:: Thank you for keeping us
5 informed and we really appreciate it.

6 MR. NORLAND: Thank you.

7 UNIDENTIFIED CITIZEN: Just one more comment along
8 with what Mr. Swanson brought up. I noticed in the
9 projected costs for possibly 25 to 30 homes that would be
10 affected. You have a cost plugged in for the treatment
11 systems and a cost plugged for the maintenance of the other
12 treatment systems. And are we going to get back in on that
13 because we are paying our own maintenance now? Is the DNR
14 going to pick up that tab again?

15 MS. EVANSON: That's a hard thing for me to answer
16 because the DNR doesn't plan to pay for those. What we are
17 looking is for the PRPs to do something.

18 UNIDENTIFIED CITIZEN: Do they turn around and
19 reimburse us for our continuing annual costs to the system?
20 We've been paying those out of the pocket.

21 MS. EVANSON: That issue will have to be part of
22 how the negotiations go. That whole issue is a little fuzzy
23 too yet because you have to look at how the whole operation
24 from the point of entry and where the treatment systems go.
25 That will be one of the issues of discussion.

1 UNIDENTIFIED CITIZEN: I kind of wonder whether an
2 extraction system is necessary given that you said the plume
3 is stable at this point.

4 MS. EVANSON: Right.

5 UNIDENTIFIED CITIZEN: Why do you feel that it's
6 necessary to go through extraction?

7 MS. EVANSON: The main reason essentially what
8 you're saying is why actually look at the ground water. And
9 the main thing that we've looked at in making that decision
10 is first is there a risk from the groundwater. I mean, this
11 is the reasoning that we have to go through at Superfund, is
12 there a risk.

13 And we've found that there is a future risk from
14 that groundwater if the plume moved and if somebody came in
15 and built new homes and actually put wells into the
16 contamination.

17 UNIDENTIFIED CITIZEN: I mean, given that you've
18 restricted the use on the top of the land --

19 MS. EVANSON: But that doesn't address the fact
20 that the groundwater contamination has migrated
21 significantly off the property if that contamination is
22 moving up and down and spreading out, that plume, it seems
23 to me that that issue is at least as important as the
24 extraction that you are talking about. I mean, it is an
25 important issue, particularly if the groundwater

1 contamination is spreading beyond where it is. We know
2 where it is now.

3 UNIDENTIFIED CITIZEN: Right.

4 MS. EVANSON: The issue is the DNR doesn't have any
5 authority to keep somebody from putting in a development.
6 That decision is made by the township.

7 MR. MALLIET: We went through that quite a bit, the
8 developer himself, that was one of my questions.

9 UNIDENTIFIED CITIZEN: But the developer isn't an
10 uninterested party. It's an engineering firm that has done
11 all of the work, whether we paid for it or the township paid
12 for it or the developer.

13 UNIDENTIFIED CITIZEN: Was that engineer employed
14 by that developer?

15 MR. MALLIET: Well, yes, he's employed by the
16 developer. We don't pass anything until they say if it's
17 all ready to go. That's his problem; if it doesn't pass,
18 that's his problem. There are only a few houses out there.
19 You can see where it is.

20 Yes, that question came up and in fact I was one of
21 the ones that voted against it. I wouldn't accept the whole
22 thing because that was one of the problems.

23 UNIDENTIFIED CITIZEN: What these are going to do
24 is the cone of depression is lower and draws it out.

25 MR. MALLIET: She claims where his wells enter or

1 are going to draw water is from a different water flow.

2 UNIDENTIFIED CITIZEN: I understood that, but what
3 if he proves to be wrong?

4 MR. MALLIET: We are aware of that. Well, it's
5 gone into the agreement already, so --

6 UNIDENTIFIED CITIZEN: The question is is the well
7 going in first or the development going in first.

8 MR. MALLIET: They don't have an approval for the
9 golf course yet, and until they have the approval, the deep
10 well is not going in.

11 UNIDENTIFIED CITIZEN: Would there be two water
12 streams, one going to the west and one going to the east or
13 would it be the same?

14 MS. EVANSON: The development is up gradient; that
15 means it's -- the water flows from where the development is
16 toward the landfill. So what would have to happen is that
17 the well, that high capacity well that they are putting in,
18 would have to significantly change the gradient so that the
19 water would flow the other way, the other direction.

20 UNIDENTIFIED CITIZEN: How does that happen?

21 MS. EVANSON: It can happen depending on how close
22 the well is put and how much water is pumped and what the
23 characteristics the sandstone is and how far out this cone
24 of depression is beneath it.

25 UNIDENTIFIED CITIZEN: It looks like that if this

1 would drop where this new construction is, if that water
2 table or level would drop --

3 MS. EVANSON: They would have to significantly
4 change the gradients so that the water would essentially
5 flow in the opposite direction.

6 UNIDENTIFIED CITIZEN: Have they taken that into
7 account at that time, that there would be any additions to
8 those capacity wells?

9 MS. EVANSON: The wells that we are putting in?

10 UNIDENTIFIED CITIZEN: No, this well or this
11 development. I guess you should answer, rather than Terry.

12 MR. MALLIET: They're putting in high capacity
13 wells there. There are already four high capacity wells on
14 the western edge of the site.

15 MS. EVANSON: City or municipal?

16 MR. MALLIET: Two private, two municipal, and the
17 two operate separately.

18 UNIDENTIFIED CITIZEN: I can't tell you what's hang
19 in the high capacity wells what are drawn from or where they
20 are in.

21 UNIDENTIFIED CITIZEN: My question is if you put
22 five in instead of four, if you are going farther --

23 MR. MALLIET: I can't answer that other than saying
24 that we have four.

25 UNIDENTIFIED CITIZEN: This is the same thing that

1 happened way back to the landfill. It was okay then. And
2 we can only hope that he's right. I have questions about
3 it, but we are going to have to deal with them.

4 UNIDENTIFIED CITIZEN: Another question on the
5 plastic cap type idea, with the current cap that's on there
6 now, does that have to be disturbed? I'm not sure if you
7 could put it on over the top or would you mess up the clay
8 or don't don't want to do that?

9 MS. EVANSON: What we would do is remove the cap
10 that's there now and leave the clay in place and you would
11 have to come in and grade that all out and everything. But
12 the clay would be left in place. All the dirt that's above
13 that -- that's about three feet, two and a half to three
14 feet of dirt -- would have to be removed, put the plastic
15 liner on the existing clay and reapply all of that dirt
16 essentially.

17 Right, you take the whole top. We are not
18 proposing to put it on the side slopes. It's very difficult
19 to hold the dirt in place on side slopes. So the proposal
20 that we looked at was only looking at the top surface.

21 UNIDENTIFIED CITIZEN: You would have to change the
22 grade but keep the clay?

23 MS. EVANSON: Right, you would have to come in and
24 regrade that.

25 UNIDENTIFIED CITIZEN: It's not quite as far out as

1 it sounds because this has happened already; has any thought
2 been given to purchasing the adjacent land to the south of
3 there and putting in an impenetrable liner on it and moving
4 the landfill over on top to it?

5 MS. EVANSON: That wasn't an option that we
6 considered. You know, if you did something like that it
7 would be like siting an entirely new landfill. You would
8 have to assess whether that has appropriate soils because
9 just because there's a liner doesn't mean that's the best
10 place to put a landfill.

11 MS. EVANS: You're saying if you put the synthetic
12 liner down and moved the waste onto it. This was done in
13 northern Michigan where they moved the landfill over onto
14 that site, then nothing could get into the ground because
15 you had in effect sealed the base on the landfill.

16 MS. EVANSON: Right, it's as much work as it is to
17 build an entire new landfill.

18 UNIDENTIFIED CITIZEN: They would want to know it
19 wouldn't leak.

20 MS. EVANSON: That's exactly what some of the
21 assessments would have to be.

22 UNIDENTIFIED CITIZEN: But for that to be --

23 MS. EVANSON: Well, I guess it's not impossible; I
24 guess it's possible. But you would have to deal with one
25 and a half million cubic yards of waste that's in there and

1 one of things was short term, effective on the short term.
2 That would be a fairly dangerous thing to do. If nothing
3 else, it could open a landfill that has considerable amounts
4 of methane in it and you create all sorts of possibilities
5 for an explosion that you don't want to be dealing with. It
6 just becomes a very hazardous situation and so that's not --

7 Somebody may have done it, but that's not typically
8 what we do with landfills, especially landfills of this
9 size. I know that it's something that people considered
10 with considerably smaller landfills than something quite as
11 large as this.

12 MR. ROUNDS: I would just like to register a
13 comment on a couple of things. My name is Wayne Rounds. I
14 own property in the immediate area of the contamination.
15 I'm also a member of the Middleton Drainage District and I
16 would like to register my opposition to any proposed plan to
17 pump any amount of water into the Middleton drainage ditch
18 which is the headwaters of the Black Earth Creek there. I
19 feel this would impact both property values and hurt
20 arguments protective water runoff that's the planned right
21 there. Right now we are already swamped with surface water
22 there.

23 And even though you tell us that the water will be
24 treated and will be pure as far as meeting state and federal
25 drinking water standards, I just can't help but say that I

1 really don't trust you. I don't trust the agencies due to
2 past performance here. I feel it would not only affect my
3 property, but everybody down the street. And I really don't
4 think that pumping the water in the ditch and doing this
5 study will help.

6 And I also have some concerns about the use of
7 injection wells. As stated by other people here, you really
8 don't know how the ground --

9 I'm talking, sir. Let me proceed.

10 We really don't know the impact on the groundwater
11 by using computer models, you really don't know. The other
12 thing you're concerned about is the water infiltration in
13 the site.

14 When the landfill was put in, there was supposed to
15 be a swale constructed around the entire landfill. It was
16 never done, and John LeBeck had something to do with it.
17 There was an entire amount of the surface water on the site
18 and an amount of sandstone still on that site that was never
19 covered. A lot of water infiltration went through that.
20 That should be looked at.

21 UNIDENTIFIED CITIZEN: Speedway Land and Gravel
22 still operates on that site and to my knowledge, just from
23 visual observation, there's mechanical mining still being
24 done on the sandstone on that property. And I would like
25 that checked out too. DeBeck has no conditional use permit

1 to be operating a quarry and also it should be looked at,
2 the impact of the operation on this site. He brought about
3 the degradation in this entire valley and yet his family
4 still operates a business out there. I think it should be
5 really be looked at.

6 This might sound a little emotional, but I live
7 with my family on my farm there and I have to deal with this
8 every day. That's all I have to say.

9 MR. LETHAN: My name is David Lethan. I'm a
10 student at the University of Wisconsin - Madison and I also
11 live in Middleton, actually in the City of Middleton. But I
12 do a lot of fishing out at Black Earth Creek and I know the
13 area. But I'm not a home owner in the area and probably
14 wouldn't be right now with what's happening, but I would
15 like to say that, you know, I really think it's important
16 that the DNR is at least looking into it, that a problem has
17 occurred. And if you are trying to do something about it
18 and looking at some cost benefit analysis of, you know,
19 trying to do what you can with the amount of money that you
20 want to use and you know if you can at all keep the area
21 from, you know, spreading or getting any worse than it is, I
22 think that money would be well spent.

23 But what I would like to say is that, you know, I
24 don't think that the drainage is the proper way to go due to
25 the fact that it is the headwaters of Black Earth Creek.

1 And that is one stream that's well-known throughout the
2 nation as one of the best trout streams around. So I voice
3 my concern not to go with that route.

4 MR. HAMIL: My name is Don Hamill and I'm on the
5 board of directors for the Yahara Riverine Area and work --
6 (Inaudible) -- and Four Lakes Chapter of the Sierra Club.
7 And we are very concerned about this project and one of our
8 concerns is the trout stream and not just the quantity of
9 the water, but the temperature of the water and flooding,
10 harmful affects to the streams and the whole watershed and
11 the agriculture around that whole area.

12 And so I just wanted to second the other
13 gentleman's comments stating an objection. That I think
14 rather than one of a discharge into the ditch method, even
15 if the water is clean, it's not a matter of whether it's
16 clean or not; it's that the temperature of the water is also
17 of concern to us.

18 MS. EVANSON: Are there any other comments or
19 questions?

20 MS. NORLAND: Thank you very much for staying
21 around for so long. If you have any questions, always feel
22 free to call us any time.

23 *

24 (Which Concluded the Proceedings)

25 *

STATE OF WISCONSIN)

) ss.

COUNTY OF DANE)

I, MILAN J. LOERSCH, Court Reporter, hereby certify that I reported in stenographic shorthand the proceedings had before the Court on the 23rd day of February, 1995, and that the foregoing transcript is a true and correct copy of the said stenographic notes and of the whole thereof.

Dated this 12th day of July, 1995.


Milan J. Loersch
Court Reporter