

Vote Record

AB851
15

Assembly Committee on Environment

Date: 3-17-98 Executive Session Public Hearing

Bill Number: AB 851

Moved by: DUFF Seconded by: BOCK

Motion: RECOMMEND PASSAGE AS AMENDED

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Present</u>	<u>Absent</u>
Rep. Marc Duff, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tim Hoven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. DuWayne Johnsrud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Lorraine Seratti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Peter Bock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judy Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Spencer Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>10</u>	<u>0</u>			

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Environment

Date: 3-17-98 Executive Session Public Hearing

Bill Number: AS 851

Moved by: DUFF (Seconded by: WILSON

Motion: ADOPT SUB / INTRODUCE SUB

↓
UNAN. CONSENT (

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Present</u>	<u>Absent</u>
Rep. Marc Duff, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tim Hoven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. DuWayne Johnsrud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Lorraine Seratti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Peter Bock	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judy Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Spencer Black	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>8</u>	<u>2</u>			

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Environment

Date: _____

Executive Session

Public Hearing

Bill Number: _____

Moved by: Robson

Seconded by: Bock

Motion: ADOPT AMENDMENT

Committee Member

Aye

No

Absent

Present

Absent

Rep. Marc Duff, Chair

Rep. Tim Hoven

Rep. DuWayne Johnsrud

Rep. Eugene Hahn

Rep. Lorraine Seratti

Rep. Neal Kedzie

Rep. Peter Bock

Rep. Judy Robson

Rep. Spencer Black

Rep. John La Fave

Totals:

4

6

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Environment

Date: 3-17-98 Executive Session Public Hearing

Bill Number: AB 851

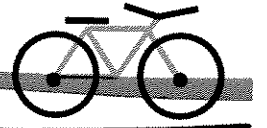
Moved by: RUBSON Seconded by: BOCK

Motion: AMENDMENT TO SUB. → ADDITION
INTRODUCTION

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Present</u>	<u>Absent</u>
Rep. Marc Duff, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tim Hoven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. DuWayne Johnsrud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Lorraine Seratti	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Peter Bock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judy Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Spencer Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>6</u>	<u>4</u>			

Motion Carried

Motion Failed



CITY OF SPARTA
Stephen J. Gunty, City Administrator
201 West Oak Street
Sparta, WI 54656
Office: (608) 269-7212
FAX: (608) 269-0182

Bicycling Capital of America

March 17, 1998

TO: COMMITTEE ON ENVIRONMENT
RE: Assembly Bill 851 - Statement of Support

On behalf of the City of Sparta, we support Assembly Bill 851 which would create a pool of grant funds to assist cities like the City of Sparta in addressing contaminated landfills through remediation efforts. Unlike the City of Tomah which has been dealing with landfill issues for 15 years and has been concerned with three Superfund sites and has felt the economic pressures that it causes to City finances, the City of Sparta is a newcomer to this arena.

However, we too can already feel the economic pinch in our situation. In 1997, approximately \$100,000 was spent on preliminary engineering, test well construction, monitoring, lab work and legal fees. In 1998, we have budgeted \$496,900 to cover additional expected legal fees, engineering, test well construction, monitoring, lab work and land acquisition. This effectively depleted our Emergency Disaster Reserve fund and will inhibit our future Bonding capacity.

Our costs will likely approach an additional \$4.5 million if we are required to install a landfill cap and to pump and treat contaminated groundwater. When all is said and done, we will still have to look forward to a \$100,000 annual operations and maintenance cost if a pump and treat solution is part of DNR's requirements.

Needless to say, a \$2 million grant would help us enormously as we wrestle with plans to finance this unanticipated burden to our community of 8,200 residents. Your assistance with passage of this legislation will be greatly appreciated.

Submitted by:

A handwritten signature in cursive script, reading "Stephen J. Gunty". The signature is written in black ink and is positioned above the typed name of the City Administrator.

Stephen J. Gunty
City Administrator

Patrick Essie

PUBLIC AFFAIRS CONSULTING

Tuesday, March 17, 1998

Representative Mark Duff, Chair
Members, Assembly Committee on Environment

FROM: Patrick Essie, for USA Waste Services of Wisconsin, Inc.

RE: Testimony for Assembly Bill 851

Thank you for this opportunity to submit written testimony on behalf of USA Waste Services of Wisconsin regarding Assembly Bill 851, relating to landfill clean up fees and grants to municipalities for landfill clean ups.

USA Waste Services operates two landfills in Southeastern Wisconsin at their Kestrel Hawk and Deer Track Park facilities Racine/Caledonia and Watertown, respectively.

First, I want to make it clear that USA Waste has an appreciation of what the authors are trying to accomplish with this legislation and we applaud their efforts to assist with the financial burdens associated with the remediation of some failing landfills.

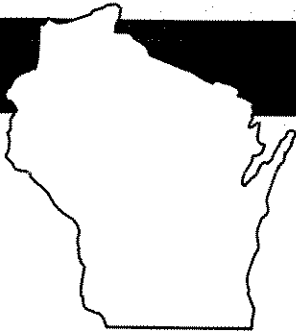
USA Waste is not opposed to participating in discussions regarding how the state can take a proactive role in these types of environmental remediation projects.

USA Waste, however, has serious concerns regarding the inequalities that would be created with this legislation. Under the bill, every and all generators of solid waste would be assessed a "landfill clean up fee". While the assessment of this fee is ubiquitous, the landfill clean up grants are only made available to certain municipally owned landfills.

We oppose legislation that would tax all landfill users but only benefit some landfills. We believe this approach is unfair to our customers.

Additionally, the legislation does not take into account the existing liability of landfill owners who are shouldering the costs of existing clean up projects.

Again, thank you for the opportunity to submit these comments. Know that USA Waste Services of Wisconsin is willing to participate in discussions with the bill's author and Environment Committee members regarding how to address this important issue.



WISCONSIN ALLIANCE OF CITIES

14 W. MIFFLIN • P.O. BOX 336 • MADISON, WI 53701-0336
(608) 257-5881 • FAX 257-5882 • EMAIL: wiscall@inxpress.net

Appleton

Ashland

March 17, 1998

Beloit

TO: Members, Committee on Environment

Cudahy

De Pere

FROM: Edward J. Huck, Director

Eau Claire

Fond du Lac

RE: AB 851, Landfill grants and tipping fees

Green Bay

Greenfield

Janesville

Kaukauna

The Wisconsin Alliance of Cities is opposed to AB 851. While only two of my cities said they had no problem with the bill, many of the members feel the bill increases their property taxes and reduces other spending options under the expenditure restraint program.

Kenosha

La Crosse

Also some of my members have already spent million of dollars cleaning up their landfills without financial assistance from anyone.

Madison

Manitowoc

Marshfield

Finally, two of our cities own their own landfills and find the mandate to charge an additional 30c per ton to themselves send the money to the DNR, only then to apply for the money back is unreasonable.

Menasha

Merrill

Milwaukee

Neenah

We agree there is a need to deal with landfill cleanup, but the problem seems to be the use of the property tax to accomplish the goal. Another funding mechanism would likely change the position of the organization.

Oshkosh

Thank you.

Racine

Sheboygan

Stevens Point

Superior

Two Rivers

Waukesha

Wausau

Wauwatosa

West Allis

West Bend

Wisconsin Rapids



Waste Management of Wisconsin, Inc.
W124 N8925 Boundary Road
Menomonee Falls, Wisconsin 53051
414/251-4000 • FAX: 414/251-0240

March 16, 1998

TO: Representative Marc Duff, Chairman
Members, Assembly Committee on Environment

FR: Lynn Morgan & Kara Oakley

RE: **AB 851, Concerning Landfill Remediation**

Thank you for the opportunity to provide this testimony regarding AB 851. Waste Management has witnessed firsthand the tremendous waste associated with the current scheme of financing landfill remediation. Along with other companies large and small, we are certain there is a better way. We share the sponsors' interest in seeking a creative alternative.

On behalf of our customers, however, we must voice our concerns about AB 851. The tax imposed by AB 851 is very broad: It would tax waste produced by every municipality, business and residence in the state. In contrast, the relief provided under the bill is extremely narrow; only a handful of municipal landfill owners would be eligible for the grants created by the bill. AB 851 would provide no relief to many other municipal landfill owners or those municipalities and businesses that have incurred liability at privately owned landfills.

In light of those concerns, we suggest that the following criteria must be in place if a landfill remediation program is to succeed. First, the program must treat public and private sector entities equally. All who are taxed should be able to benefit from the cleanup program; the environment does not make distinctions between type of ownership, and neither should a comprehensive landfill cleanup program. Second, the program must include those who have already incurred costs for prior remediation efforts. And most importantly, the program must substantially reduce the litigation associated with the current system.

Again, we appreciate the opportunity to air our concerns and look forward to working with the authors and this Committee as discussion progresses on this important and complex issue.

Gateway to Cranberry Country
The City of Tomah

WHERE THE I DIVIDES

819 Superior Avenue

Tomah, Wisconsin 54660

Phone: (608) 374-7420

Fax: (608) 374-7413

Committee on Environment
Public Hearing -- March 17, 1998

Statement of Support by City of Tomah for Assembly Bill 851-
City Administrator Michael Gracz

I am here on behalf of the City of Tomah to discuss why we are in support of Assembly Bill 851. I would like to first provide you with a brief background on our Landfill and Superfund situation in Tomah. This background information should provide you with a better understanding of why this legislation is so important to the City of Tomah. Sparta's City Administrator Steve Gunty is also here to speak on behalf of the proposed legislation.

In the late 1980s and early 1990s, the EPA and DNR identified three Superfund sites in the City which were placed on the National Priority List. The largest site is a former Municipal Landfill site located on 40 acres. This site was operated by the City until the mid-1970s. The two other smaller sites are identified as the Fairgrounds and Armory sites.

In 1996, the City was able to receive a "No Action Decision" for the Fairgrounds site, but will have to conduct groundwater monitoring in the future. A similar decision was also issued for the Armory site in July, 1997. The City has recently received the Special Notice Letter as a PRP for the Landfill site.

For the Landfill site, the proposed plan selected by the EPA and DNR requires that the PRPs install a geomembrane and a clay liner over the landfill along with an active gas system which will cost approximately \$3.2 million dollars. Even

though it was the PRPs' contention that one of the other alternatives for the site would have been less expensive and as effective, the agencies selected this alternative.

The City operated the Landfill from 1959 to 1977 as a service to its residents. Residential, commercial and industrial waste was disposed at the site. The DNR ordered the City to abandon the Landfill indicating potential problems with the local groundwater quality. The site was effectively closed in 1979. The Landfill site was not constructed with a clay liner, collection system, or other engineering systems. However, it was constructed and operated in accordance with the DNR's waste disposal facility requirements during the period of operation.

In December of 1983, the DNR conducted a potential hazardous waste site preliminary assessment for the Landfill. The assessment indicated that the Landfill represented a potential hazard to the groundwater and surface water. Vinyl chloride levels have been detected higher than the acceptable standards.

In 1985, the DNR nominated the site for inclusion on the National Priorities List. In 1986, the EPA proposed that the Tomah Landfill site be added to the National Priority List. The site was officially added to the list on March 31, 1989. The EPA notified the PRPs of their potential liability with respect to the site pursuant to the Superfund requirements and an Administrative Order was entered into voluntarily by the PRPs and the EPA. At this point, the other two PRPs involved in the site are Union Camp which operated a plastic molding plant in the City for many years and the Veterans Affairs Hospital located in Tomah.

To eliminate any potential risk of human consumption of contaminated groundwater, the PRPs extended municipal water to the homes in the Sunnyvale Subdivision independent of the Superfund process in 1993. It should be noted that the Sunnyvale Subdivision is not located within the City's

incorporated boundaries. These homes were constructed with private water supply wells and septic sewage systems along the Landfill's southern boundary.

In 1995, an Interim Gas Collection System was installed as well as a series of additional monitoring wells to the south and west of the Landfill site. At this time, please allow me to stress these final points:

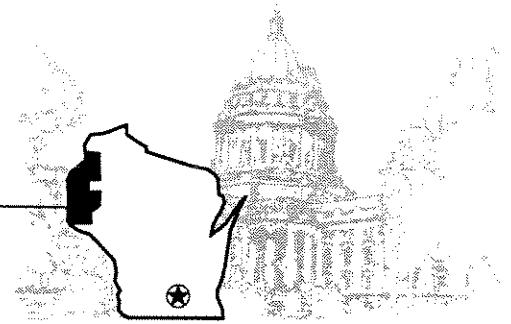
- 1.) It is my understanding that the proposed legislation would require communities to take responsibility for their landfills. The City of Tomah has already demonstrated its commitment to deal with its Superfund sites, especially the Landfill site. The extension of the water service independent of the Superfund process is a good example of our commitment to the process.
- 2.) It is important to recognize that the City of Tomah is most likely the only small community in Wisconsin with three Superfund sites. We have spent over a half million dollars of City tax dollars on our Superfund sites. This has required the City to constantly balance Superfund activities with other necessary City functions such as street repairs and other projects, which has put a great deal of pressure on our local taxpayers.

AB 851 would help the City of Tomah deal with the cleanup of the Landfill site and with the future groundwater contamination issues. Since the mid-1980s, the City of Tomah has been dealing with landfill cleanup costs, sometimes overwhelmed by them. This is why we have been working for legislation that would introduce fairness to the landfill cleanup process. We believe AB851 would add some level of equity to the process and, we strongly encourage the committee members to recommend that this legislation be adopted. Thank you for your time.



Alice Clausing

WISCONSIN STATE SENATOR



March 17, 1998

Testimony of Senator Alice Clausing on Assembly Bill 851
Assembly Committee on Environment

I would like to thank the committee for accepting testimony on Assembly Bill 851, relating to grants to political subdivisions for landfill cleanups, a municipal landfill cleanup fee, and to grant bonding authority.

Passage of the federal Superfund law in 1980 highlighted the need to clean up contaminated landfills in a way that provides for long-term certainty. Almost two decades later, all levels of government are still searching for a long-term solution to pollution caused by landfills.

Representative Harsdorf and I have been involved with the devastation in the community of Hudson, in western Wisconsin, which has suffered over the contaminated Junker Landfill. Wisconsin's 1,000 plus aging landfills are just the tip of the iceberg of our future contamination problems. Instead of resources being used to remedy the problems, we have endless litigation. Local municipalities, business owners, and residents fight about who is responsible instead of using resources to clean up the problem. In the Junker case, after years of lawsuits, threatened lawsuits, and negotiations, a settlement was finally reached to clean up the problem. We need a system that will eliminate litigation and use our resources to clean up the problem.

In 1994, the State of Minnesota enacted landmark legislation that eliminates litigation and sets up a funding source to deal with perpetual landfill contamination problems. The Minnesota plan authorizes the state to act as a Superfund by taking over responsibility for proper closure of old, leaky landfill sites funded through bonding and a "garbage" fee charged to businesses and households. The goal is to expedite landfill clean up in the most cost effective way by staying out of our courts and to set up a perpetual funding source.



We have been working with the Department of Natural Resources for a year to develop a Minnesota-style landfill clean up act. However, a major policy change like this takes time. In the interim, we are proposing a Municipal Landfill Cleanup Program (MLCAP) to assist more municipalities in landfill clean ups, while continuing to work with DNR to develop a broader, more comprehensive program for the future.

The MLCAP, AB 851, is based on a current DNR pilot program that sets aside \$3 million in bonding to assist small municipalities with landfill cleanups. Our bill proposes to:

- utilize \$10 million in general obligation bonds to award grants to reimburse local units of government for a portion of the costs of investigating and remedying environmental contamination at landfills they own,
- limit grants to 50% of eligible costs local units of government incur up to \$2 million,
- impose a 30 cent per ton municipal landfill clean up fee on solid waste disposed of at municipal waste landfills, and
- require DNR to undertake a study identifying all landfills that would be eligible for assistance, estimate the cost of remedial action, and identify potential methods of funding for remedial action.

A key component of this legislation is the DNR study to identify contaminated landfills in the state. Without a clear understanding of how many sites are contaminated, the state will not be able to comprehend how much time, effort, and funding will be required to remediate those sites.

It will take much more than \$10 million to address Wisconsin's landfill contamination problems. However, AB 851 is a responsible first step to address the problem and gain experience in the area of landfill cleanups. This is going to cost us some money, therefore a funding commitment is necessary. Otherwise, our future water supply will be jeopardized and landfill remediation will continue to be balanced on the backs of local property taxpayers. Everyone who consumes is responsible for landfill contamination, not just property taxpayers. We need a fair and equitable funding source to deal with this perpetual problem. To those who may testify today in opposition to a tipping fee as a funding source, I challenge you to offer an alternative to address the state's landfill clean up problems. Those who benefit must come to the table with a solution. Help us solve the problem.

Thank you for your support of AB 851.

Testimony of Paul Didier
Assembly Committee on the Environment
March 17, 1998

⁸⁵¹
SUBJECT: AB ~~815~~ - Local Regulations of Certain Solid Waste Facilities

Good Morning. My name is Paul Didier. I am currently the Director of the Department's Waste Management Program. Although we are not appearing either for, or against AB 815, we do believe that the bill is broader than it needs to be to address the problem at hand - i.e., the desire of municipalities to establish reasonable regulations over the so called "clean fill" sites which DNR has exempted from state level regulation on the basis that they pose low risk to public health or the environment.

We have identified two areas where we believe the bill needs to be clarified to limit its scope to what we think was intended.

First, we think the authority conferred by the bill should be limited to solid waste disposal facilities, rather than the broader term "solid waste facilities". The broader term includes such things as storage, processing, and transfer facilities, which do not involve the disposal of solid wastes. This change could easily be made to AB 518 by inserting the word "disposal" after the word "waste" on line 2.

Second, we are concerned that the current bill could be construed to authorize municipalities to adopt regulations which conflict with a specific exemption or approval that the DNR has issued to a specific exempt facility. The bill draft does provide that the local regulations can't conflict with any order issued by DNR. However, the Department does have authority to issue case-specific low hazard exemptions and approvals, which are subject to certain conditions. We do not think that local regulations should conflict with these exemptions and approvals. Again, this change could easily be made by inserting the words "exemption or approval" after the word "order" on line 10 of AB 518.

This would mean that municipalities could regulate solid waste facilities that are exempt by rule (i.e., no case-specific exemption has been granted), such as the following:

- "Clean fill" disposal facilities under NR 500.08.
- Landspreading facilities that are exempt under NR 518.04.
- It is not entirely clear whether or not projects for the beneficial use of industrial by-products which are exempt under NR 538 would be subject to local regulation.

If the exemption were issued as a case-specified determination under s. 289.43, Stats., or if a plan approval or order has been issued, the local regulation could not conflict with the exemption, approval or order.

Wisconsin Transportation Builders Association

Kurt Bechthold, President
Payne & Dolan, Inc.

Tom Walker
Executive Director

To: Rep Duff & Committee members &
Representative Plale

Date: 16 Mar 1998

From: Tom Walker, Executive Director

Subject: AB 815; Analysis of

Thank you for the opportunity to comment on this bill. WTBA **opposes** the passage of AB 815 for the following reasons:

- ▶ Current Wisconsin statutes and administrative code regulate the disposal of "construction debris" in an efficient, effective and consistent manner statewide. Additional regulation is **not** necessary to protect the environment and citizens of Wisconsin. [ss. 289.01 (33) and 289.43 (8), Stats. and ss. NR 503.02, NR 503.03 & NR 503.09]
- ▶ The DNR is the appropriate agency to regulate the solid waste and recycling programs in Wisconsin, and has the staff expertise to carry-out their charge. The existing DNR review process to determine that discarded road materials (such as broken asphalt and concrete) would not create an environmental hazard is extensive. This bill would **not** supercede these existing regulations. It would, however, **add** another unnecessary level of regulation and cost to doing business in Wisconsin.
- ▶ The WisDOT **highway letting** process would be significantly **impacted** as all potential bidders on a project would either have to initiate the disposal site siting process well in advance of the bid (in hopes of being awarded the project), or begin the process right after the award was made. Neither approach is acceptable to the contractor or the department. Prolonged delays in starting work once the project has been awarded, regardless of the reason, will disrupt a planned project and can result in monetary **penalties** being imposed on contractors by the department.
- ▶ In order to be able to conduct business in Wisconsin in a cost effective and environmentally responsible manner, contractors need to have confidence that an approved disposal site is available to them once construction begins and that the process for approving these sites is consistently administered on a statewide basis.

Thank you again for the opportunity to provide comments on this important issue. If you have any questions, feel free to contact me directly, at your convenience.