

Report to
Legislative Council Rules Clearinghouse
NR 504, 506, 512, 514, 516 and 520, Wis. Adm. Code
Natural Resources Board Order No. WA-15-06

Wisconsin Statutory Authority

ss. 289.05, 289.06, 289.07 and 227.11, Stats., interpreting ss. 289.24, 289.30 and 289.61, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

The requirement for landfill operators to submit landfill organic stability plans was approved in Natural Resources Board Order No. WA-47-04 (Clearinghouse Rule No. 04-077). When the Natural Resources Board adopted the rule on March 23, 2005, the Board directed DNR staff to draft more detailed rules for the landfill organic stability plans. Landfill organic stability plans will reduce the environmental and public health risks posed by the long-term persistence of undecomposed organic materials in landfills. These rule revisions contain requirements for the minimum contents of the plans; a set of goals for the landfill operator to use to model the chosen strategy for achieving organic stability; monitoring, evaluation and reporting requirements; and definitions specifying to which landfills these rules apply. The proposed rules attempt to establish achievable goals and an even playing field for landfill operators while remaining non-prescriptive about the methods the operators use to achieve the goals.

The proposed rule also corrects non-substantive rule drafting and style errors inadvertently left in the previous rule package. It also makes one substantive but minor change in the testing requirements for the newly installed landfill liners.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

Name and Telephone Number of Agency Contacts

Gene Mitchell, Waste and Materials Supervisor – 275-3466
Dennis Mack, Bureau of Waste Management – 267-9386
Dan Graff, Bureau of Legal Services – 264-8527
Carol Turner, Bureau of Legal Services - 266-1959

Submitted on March 13, 2006