

Chapter NR 507

ENVIRONMENTAL MONITORING FOR LANDFILLS

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Note: Corrections made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1997, No. 500.

NR 507.01 Purpose. The purpose of this chapter is to help ensure that efficient, nuisance-free and environmentally acceptable solid waste management procedures are practiced in this state, to outline environmental monitoring requirements at solid waste facilities and to implement groundwater standards according to ch. NR 140 and ch. 160, Stats. This chapter is adopted under ch. 289, Stats. and s. 227.11, Stats.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.02 Applicability. (1) (a) Except as provided in par. (b) and except as otherwise provided, this chapter governs all environmental monitoring for solid waste disposal facilities as defined under s. 289.01 (35), Stats., including all CCR landfills and expansions.

(b) This chapter does not govern any of the following:

1. Hazardous waste facilities as defined under s. 291.01 (8), Stats., and regulated under chs. NR 660 to 679.
2. Metallic mining operations for nonferrous minerals as defined under s. 293.01 (9), Stats., and regulated under ch. NR 182.
3. Metallic mining operations for ferrous minerals as defined under s. 295.41 (26), Stats., including mining wastes and mining waste sites as defined under s. 295.41 (30) and (31), Stats., and regulated under subch. III of ch. 295, Stats.

(2) This chapter does not apply to the design, construction or operation of industrial wastewater facilities, sewerage systems and waterworks treating liquid wastes approved under s. 281.41, Stats., or permitted under ch. 283, Stats., nor to facilities used solely for the disposal of liquid municipal or industrial wastes which have been approved under s. 281.41, Stats., or permitted under ch. 283, Stats., except for facilities used for the disposal of solid waste.

(3) This chapter applies to the owners and operators of solid waste disposal facilities regulated under chs. NR 500 to 538.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; am. (3), Register, December, 1997, No. 504, eff. 1–1–98; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register April 2013 No. 688; CR 13–057: am. (1) Register July 2015 No. 715, eff. 8–1–15; CR 21–076: renum. (1) to (1) (a) and (b) 1. to 3. and am., cr. (1) (b) (intro.) Register July 2022 No. 799, eff. 8–1–22.

NR 507.03 Definitions. The terms used in this chapter are defined in s. NR 500.03.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.04 General requirements for monitoring devices and geologic sampling. The department may

require an owner or operator of a solid waste disposal facility to install, sample and document environmental monitoring devices in accordance with this chapter. All monitoring devices shall be designed, installed, maintained and operated in accordance with the requirements of ss. NR 507.05 to 507.26, unless an alternate method is approved in writing by the department. All monitoring devices shall be constructed to minimize the potential for contaminants to enter the groundwater or to move from one major soil unit or rock formation to another. All monitoring devices shall be designed, located, installed and maintained so as to obtain reliable and representative information.

(1) LOCATION. The owner or operator shall submit, in writing, to the department for approval, the locations of all monitoring devices prior to installation, except for wells installed prior to a feasibility decision. The location and construction of any monitoring device installed prior to the feasibility decision may be submitted to the department for review and concurrence prior to installation.

(2) FIELD DIRECTION. A professional geologist or qualified technician who is directly supervised by a professional geologist shall observe and direct the drilling of all borings and the installation, development and abandonment of all wells. A professional geologist or qualified technician who is directly supervised by a professional geologist shall also conduct all in-field hydraulic conductivity tests and visually describe and classify all of the geologic samples.

(3) PROTECTION. All monitoring and sampling devices shall be sealed and locked to prevent contaminants from entering the monitoring device. All monitoring wells and gas probes shall have protective metal casings. All other monitoring devices shall be protected as necessary. The department may require additional protective devices such as a ring of brightly colored posts around any monitoring device. All leachate head wells shall be protected to prevent damage during facility operation.

(4) LABELING. All monitoring devices shall be clearly and permanently labeled on the outside of the monitoring device. At a minimum, the label shall include the device name and 3–digit identification number assigned to each well by the department.

(5) ABANDONMENT. For monitoring devices to be abandoned for any reason, an owner or operator shall contact the department. If monitoring devices are being replaced, they shall be properly abandoned in accordance with ss. NR 141.25 and 507.13.

(6) DOCUMENTATION. All activities required under ss. NR 507.05 to 507.13 shall be documented in accordance with ss. NR 141.23 and 507.14.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.05 Soil and rock sampling. All soil and rock samples collected from borings shall be collected and tested in accordance with this section unless otherwise approved in writing by the department.

(1) **SOIL SAMPLE COLLECTION.** Soil samples shall be collected in accordance with all of the following:

(a) Where conditions permit, soil samples shall be collected using undisturbed soil sampling techniques. Samples may not be composited for testing purposes.

(b) In fine-grained soil environments, continuous samples shall be collected from the land surface to at least 25 feet below the anticipated, proposed or existing sub-base grade for the purpose of field classification. If a boring extends beyond 25 feet below the anticipated, proposed or existing sub-base grade, samples shall be collected from each major soil unit encountered and at maximum 5-foot intervals. If the boring is located outside the anticipated, proposed or existing limits of filling, the applicable sub-base grade is the elevation of the bottom of the anticipated, proposed or existing liner system nearest to the borehole.

(c) In coarse-grained soil environments, samples shall be collected from each major soil unit encountered and at maximum 5-foot intervals.

(d) At least one soil sample shall be collected at the depth of the well screen of any subsequently placed monitoring well. The soil sample collected at the depth of the well screen shall be analyzed for grain size distribution using mechanical and hydrometer methods and Atterberg limits, as appropriate for the particular soil type.

(e) All soil samples shall be retained until the department approves the report that included documentation of the soil sampling.

(2) **BEDROCK SAMPLE COLLECTION.** If a boring is extended 5 feet or more into bedrock, continuous core samples of the bedrock shall be taken and the rock properties including fracture frequency, rock quality designation, and percent recovery shall be determined. All bedrock core samples shall be retained until the department approves the report that included documentation of the boring. After the approval, the owner or operator shall notify the WGNHS that all bedrock cores and their corresponding boring logs are available for study and possible retention. If the owner or operator has not been contacted by the WGNHS within 45 days after contacting the WGNHS, the owner or operator may discard the bedrock cores.

Note: Wisconsin geological and natural history survey, 3817 Mineral Point Road, Madison, WI 53705–5100, (608) 262–1705, www.uwex.edu/wgnhs.

(3) **BORING LOG.** A boring log shall be submitted for each boring in accordance with s. NR 507.14. For replacement wells, soil and bedrock samples shall be collected in accordance with subs. (1) and (2) unless the department approves a preexisting boring log for a boring within 10 feet of the replacement well. The owner or operator may request an exemption to the 10 foot distance.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.06 Groundwater monitoring well design and installation. All groundwater sampling devices shall be designed, located, installed and maintained so as to obtain reliable and representative information regarding aquifer characteristics, groundwater flow directions and chemical and physical characteristics of groundwater. All groundwater monitoring wells shall be designed and installed in accordance with ch. NR 141 and the requirements of this section unless an alternate method is approved in writing by the department.

(1) **DRILLING METHOD.** Drilling fluids may not be used for installing monitoring wells unless no reasonable alternative exists. If drilling fluids are used, the driller shall document the type of fluids used and the chemical constituents of the mixture. If water is used, the source of the water shall be identified and the water shall be analyzed for all detection groundwater monitoring parameters listed in ch. NR 507 Appendix I, Table 1, under munic-

ipal solid waste. The drilling method shall meet all of the following:

(a) Bedrock drilling shall be performed in accordance with s. NR 507.05 and ch. NR 141.

(b) Standard penetration tests shall be performed while drilling in soil. Soil drilling methods in fine grained soil environments shall allow the driller to obtain undisturbed soil samples. If a drilling method does not allow for standard penetration tests, then the shear strength of the recovered fine-grained soil samples shall be estimated and recorded in the field with a pocket penetrometer or vane shear.

(c) If the drilling method does not allow the required soil or rock sampling to be performed, a separate boring shall be drilled adjacent to the monitoring well to provide the necessary information.

(2) **BOREHOLE ABANDONMENT.** If any borehole is deeper than the well to be placed in it, the portions of the borehole below the well screen shall be properly sealed in accordance with ss. NR 507.08 and 141.25 (2) (d).

(3) **IN-FIELD HYDRAULIC CONDUCTIVITY TEST.** An in-field test shall be conducted on each well to determine the in-situ hydraulic conductivity. The test shall be of long enough duration and include sufficient data to provide a representative estimate of the actual hydraulic conductivity.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; correction in (1) (intro.) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688.

NR 507.07 Groundwater monitoring well development. All groundwater monitoring wells shall be properly developed following installation in accordance with s. NR 141.21 and this section. To determine the effectiveness of the development, a sample shall be taken from the well within 24 hours of completion of development and analyzed for total suspended solids. Additional purging is not required prior to taking the sample. If drilling fluids were used during well construction, the sample shall also be tested for COD.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.08 Boring and well abandonment. All monitoring wells and boreholes shall be abandoned in accordance with s. NR 141.25 and this section.

(1) **TIMELINE.** All boreholes not instrumented with a well shall be abandoned immediately after completion of drilling and soil sampling.

(2) **ABANDONMENT OF WATER SUPPLY WELLS.** Water supply wells which are required to be abandoned shall be abandoned and documented in accordance with s. NR 812.26.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.09 Leachate head well design and installation. All leachate head wells required under s. NR 504.09 (2) (i) shall be located, designed and installed so as to obtain reliable and representative information regarding the leachate head levels within the landfill. Leachate head wells in landfills with a composite liner shall be designed with risers on the sideslopes. Landfills with a clay liner shall use a vertical leachate head well design. All leachate headwells shall be documented in accordance with s. NR 507.14 (1) and (5) (a).

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.10 Collection basin lysimeter design and installation. All collection basin lysimeters required under s. NR 504.06 (5) (u) shall be located, designed and installed so as to obtain reliable and representative information regarding movement of liquid through the landfill liner. All collection basin lysimeters shall be documented in accordance with s. NR 507.14 (1) and (5) (a).

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.11 Gas monitoring well design and installation. All gas monitoring wells shall be designed, installed and

documented in accordance with ss. NR 507.04, 507.05, 507.06 (1) and (2) and 507.14 and the requirements of this section unless the department approves alternate methods in writing. All gas monitoring wells shall be designed, located, installed and maintained so as to obtain reliable and representative information regarding soil conditions and gas concentrations.

(1) **TIMING OF INSTALLATION.** Where gas monitoring is required, gas monitoring wells shall be installed at the same time that adjacent areas of the landfill liner are constructed.

(2) **DESIGN.** All gas monitoring wells shall be constructed with a shut-off valve to prevent the escape of gas from the sampling device and minimize the amount of inflow of air from the atmosphere.

(3) **LOCATION.** All gas monitoring wells shall meet both of the following:

(a) Wells shall extend to the maximum depth of waste or to the low seasonal groundwater level whichever is encountered first. The screened length shall extend from 5 feet below ground surface to the bottom of the well.

(b) Wells shall be located within 150 feet of the edge of waste unless otherwise approved by the department.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.12 Other monitoring device design and installation. The department may require other monitoring devices based on an evaluation of the potential for environmental impacts and the risk those impacts pose to human health and the environment.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.13 Inspections and replacement devices. The facility owner or operator shall inspect at least annually all monitoring devices installed for field investigations conducted under this chapter. Sampling personnel shall inspect all monitoring devices each time the device is sampled or a water level elevation is measured. If for any reason a monitoring device is damaged, provides a conduit to the subsurface or otherwise fails to function properly, the facility owner or operator shall notify the department in writing within 10 days after discovery. The device shall be repaired if possible. If the device cannot be repaired, it shall be properly abandoned and replaced within 60 days unless otherwise approved in writing by the department. Replacement and abandonment of groundwater monitoring wells shall be in accordance with ch. NR 141 and this chapter. If the device is replaced, the replacement device shall be given the same number as the device it replaced followed by the letter “R” to indicate it is a replacement, unless otherwise approved in writing by the department. An additional “R” shall be added each time the device is replaced.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.14 Documentation of monitoring devices and geologic sampling. All well construction and abandonment, well development, and boring advancement and abandonment activities shall be documented and reported to the department in accordance with s. NR 141.23 and this section. These activities shall be documented in all major plan submittals including initial site reports, feasibility reports, plans of operation, construction documentation or environmental contamination assessment reports. If no plan is being prepared at the time of these activities, documentation of the activities shall be submitted to the department within 60 days after the activities.

(1) **WELL LOCATION.** Documentation of all well locations shall be done in accordance with s. NR 141.065.

(2) **SOIL AND BEDROCK DESCRIPTION.** Documentation of soils and bedrock shall include all of the following:

(a) A description of each major soil sample unit including its structure, mottling, voids, layering, lenses and geologic origin and

visual classification according to the unified soil classification system.

(b) A description of any continuous bedrock core samples including percent recovery, RQD and fracture frequency.

(3) **BORING LOGS.** Boring logs shall include all of the following:

(a) Elevations of land surface and bottom of boring, corrected to national geodetic survey datum.

(b) If the boring is converted to a well, the water level at the time of drilling, date of water level measurement and a well construction diagram on the boring log.

(4) **BORING AND WELL ABANDONMENT DOCUMENTATION.** Documentation of the abandonment of wells and borings shall include all of the following:

(a) If the well is a public or private water supply well, any forms required under ss. NR 812.10 and 812.26.

(b) Updated forms previously submitted to the department such as the groundwater monitoring well information form, to reflect the current condition of the monitoring system.

(5) **FORMS.** Documentation of activities performed under this chapter shall be submitted on the most recent version of the department forms listed in this subsection and included in ch. NR 507 Appendix V, and be completed as instructed. All the information on the forms and instructions in ch. NR 507 Appendix V shall be provided on the appropriate form included in ch. NR 507 Appendix V. The department may approve replicate forms generated by the facility owner or operator for use in submitting the required information. The forms include:

(a) Groundwater monitoring well information form 4400–089, for use whenever monitoring points are added or removed from the monitoring system, including water supply wells. Within 6 months following July 1, 1996, all owners and operators of solid waste landfills where monitoring is required shall submit a completed form which includes the current condition of all existing and former monitoring points and whether the well is a Subtitle D well. Following this submittal of the form, future submittals may contain only the changes to the monitoring network being documented.

(b) Groundwater monitoring inventory form 3300–067 for all water supply wells.

(c) Monitoring well construction form 4400–113A.

(d) Monitoring well development form 4400–113B.

(e) Well/drillhole/borehole abandonment form 3300–005.

(f) Soil boring log information form 4400–122.

Note: The forms and software for submitting the forms electronically are available at <http://dnr.wi.gov/topic/Groundwater/forms.html>. The forms and the software may also be obtained from the department of natural resources, bureau of waste management, 101 S. Webster Street, P.O. Box 7921, Madison, WI 53707–7921, (608) 266–2111, waste.management@dnr.state.wi.us.

(6) **MISCELLANEOUS.** The owner or operator shall document raw data and calculated results of in-situ hydraulic conductivity tests, water level measurements and dates, computations of well yield, if determined and any changes in well construction, casing elevation and other features subsequent to drilling.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; CR 05–020: am. (5) (a), (b) and (e) Register January 2006 No. 601, eff. 2–1–06; correction in (5) (intro.) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688; CR 18–095: am. (4) (a) Register June 2020 No. 774, eff. 7–1–20.

NR 507.15 General requirements for environmental monitoring. (1) **ALL FACILITIES.** The department may require the owner or operator of any landfill, or any person who permits the use of property for that purpose, to conduct environmental monitoring in accordance with this chapter and with plans approved by the department. Environmental monitoring includes but is not limited to monitoring of groundwater, the unsaturated zone, leachate, lysimeter fluid, gas, gas condensate, surface water, public or private water supplies, air or other physical features. Monitoring procedures and results shall be documented and sub-

mitted to the department in accordance with ss. NR 507.14 and 507.26.

(2) FACILITIES IN OPERATION ON OR AFTER OCTOBER 9, 1993. The owner or operator of a landfill which accepted municipal solid waste on or after October 9, 1993, except facilities which received less than 100 tons per day on an annual basis and which ceased accepting solid waste prior to April 9, 1994, shall perform all of the following:

(a) Propose in the feasibility report for any new facility or expansion of an existing facility, a minimum of 4 groundwater monitoring wells to serve as Subtitle D wells. The department shall review the proposal and approve the proposed wells or choose alternative wells.

(b) Propose to the department a detection monitoring program, including baseline groundwater quality, leachate and lysimeter monitoring and Subtitle D well locations, in accordance with s. NR 507.19 in a feasibility report or for existing facilities according to the following schedule:

1. For facilities licensed to receive greater than 500,000 cubic yards, the owner or operator shall submit the proposal for implementation within 60 days after July 1, 1996.

2. For facilities licensed to receive less than 500,000 cubic yards, the owner or operator shall submit the proposal for implementation by October 9, 1996.

(c) Implement a detection monitoring program in accordance with plans approved by the department and including assessment monitoring if necessary.

(d) Propose to the department a quarterly gas monitoring program in accordance with s. NR 507.22 for implementation within 60 days after July 1, 1996 at existing facilities or in a feasibility report.

(e) Implement a quarterly gas monitoring program in accordance with plans approved by the department.

(3) CCR LANDFILLS. In addition to the detection groundwater monitoring system required under s. NR 507.19, the owner or operator of a CCR landfill that accepts CCR on or after October 19, 2015, shall also submit a plan establishing a separate CCR groundwater monitoring system for the purpose of monitoring groundwater quality in the uppermost aquifer in accordance with this chapter. The plan shall be submitted with the plan of operation modification for initial permitting in accordance with s. NR 514.045 or in the feasibility report under ch. NR 512.

(a) The CCR groundwater monitoring system shall consist of a sufficient number of CCR wells, installed at appropriate locations and depths, as approved by the department, adequate to yield groundwater samples from the uppermost aquifer that accurately represent upgradient groundwater quality that has not been affected by leakage from a CCR landfill and downgradient groundwater quality passing the waste boundary of the CCR landfill. The downgradient monitoring wells shall be installed to ensure detection of groundwater contamination in the uppermost aquifer, including all known or suspected contaminant pathways.

(b) The number, spacing, and depths of monitoring wells submitted to the department as part of the CCR groundwater monitoring system plan shall be determined based upon site-specific technical information that shall include thorough characterization of aquifer thickness, groundwater flow rate, and groundwater flow direction, including seasonal and temporal fluctuations in groundwater flow. The monitoring systems shall also take into account the saturated and unsaturated geologic units and fill materials overlying the uppermost aquifer, materials comprising the uppermost aquifer, and materials comprising the confining unit defining the lower boundary of the uppermost aquifer, including thicknesses, stratigraphy, lithology, hydraulic conductivities, porosities, and effective porosities.

(c) The CCR groundwater monitoring system plan shall include the minimum number of monitoring wells necessary to meet the performance standards specified under par. (a), based on

the site-specific information specified under par. (b). The groundwater monitoring system plan shall contain all of the following:

1. A minimum of one upgradient and 3 downgradient monitoring wells to be designated as CCR wells.

2. Additional monitoring wells as necessary to accurately represent the background groundwater quality in the uppermost aquifer that has not been affected by leakage from the CCR landfill and the quality of groundwater passing the waste boundary of the CCR landfill.

(d) Monitoring wells shall be designed and installed in accordance with s. NR 507.06 and regularly inspected in accordance with s. NR 507.13. All monitoring wells, piezometers, and other measuring, sampling, and analytical devices shall be operated and maintained so that the devices perform to the design specifications throughout the life of the monitoring program.

(e) The documentation of the design, installation, development, and decommissioning of any monitoring wells, piezometers, and other measurement, sampling, and analytical devices shall be performed in accordance with s. NR 507.14 and applicable requirements under ch. NR 141. This includes submission of all required forms to the department in the timeframes specified.

(f) A sampling plan that includes the CCR groundwater monitoring system shall be submitted to the department in accordance with s. NR 507.16 and the requirements under s. NR 140.16. The sampling plan shall include consistent sampling and analysis procedures that are designed to ensure the production of monitoring results that provide an accurate representation of groundwater quality in the uppermost aquifer at the upgradient and downgradient CCR wells and that provide a characterization of leachate quality generated by the CCR landfill. The sampling plan shall be implemented as approved in writing by the department.

(g) The sampling plan shall include sampling and analytical methods that are appropriate for groundwater sampling and that accurately measure all required monitoring parameters under ch. NR 507, Appendix I in groundwater samples. The CCR landfill owner or operator shall obtain and analyze samples in accordance with the approved sampling plan under par. (f) and the requirements under s. NR 507.17.

(h) In addition to the field measurements required under s. NR 507.17 (1), the groundwater elevations shall be measured in each CCR well immediately prior to purging, each time groundwater is sampled. The owner or operator of the CCR landfill shall determine the rate and direction of groundwater flow each time groundwater is sampled and report the result to the department in accordance with s. NR 507.26. Groundwater elevations in wells that monitor the same CCR landfill shall be measured within a time-frame short enough to avoid temporal variations in groundwater flow that could preclude accurate determination of groundwater flow rate and direction.

(i) The owner or operator of the CCR landfill shall establish baseline groundwater quality in accordance with s. NR 507.18 for each CCR well and for each of the constituents required under ch. NR 507 Appendix I, Table 1A and in accordance with the approved sampling plan.

(j) The owner or operator of the CCR landfill shall measure total recoverable metals concentrations when measuring groundwater quality for each CCR well. Measurement of total recoverable metals includes both the particulate fraction and dissolved fraction of metals in natural waters. To ensure this, groundwater samples from CCR wells may not be field filtered prior to analysis.

(k) The owner or operator of the CCR landfill shall notify the department in writing within 60 days of completing sampling and analysis at any CCR well when a groundwater standard at the point of standards application has been attained or exceeded in accordance with s. NR 507.30.

(L) The owner or operator of a CCR landfill shall conduct detection groundwater monitoring at all CCR wells consistent

with the requirements of this section and s. NR 507.19. Detection groundwater monitoring shall include groundwater monitoring for all constituents appropriate for CCR wells as listed under ch. NR 507 Appendix I, Table 1A and additional parameters if approved by the department in writing and in accordance with all of the following:

1. The minimum monitoring frequency for the constituents approved by the department as part of the detection groundwater monitoring shall be semi-annual during the active life of the CCR landfill and the post-closure period. For existing and new CCR landfills and all lateral expansions of CCR landfills, baseline groundwater quality shall be established at each CCR monitoring well in accordance with s. NR 507.18. This includes the collection of a minimum of 8 independent groundwater quality samples for each CCR well, each of which shall be analyzed for all constituents appropriate for CCR landfills as listed under ch. NR 507 Appendix I, Tables 1A and 3 and any additional parameters approved by the department in writing.

2. The number and methodology of groundwater quality samples collected and analyzed for each CCR well during subsequent semiannual sampling events shall be consistent with the approved sampling plan under s. NR 507.16, and shall account for any unique characteristics of the site. The CCR landfill owner or operator shall inform the department in accordance with s. NR 507.26 of any CCR well that purges dry, is damaged or obstructed, or in any way is rendered such that a sample was unable to be collected from the well during a scheduled sampling event and shall propose remedial actions to correct the problem prior to the next sampling event.

3. The owner or operator of the CCR landfill shall notify the department and respond in accordance with s. NR 507.30 when a groundwater standard at the point of standards application has been attained or exceeded at any CCR well. This response includes the establishment of an assessment monitoring program meeting the requirements under s. NR 508.06, unless the exceedance is determined by the department to be from a source other than the CCR landfill, or that the groundwater standard exceedance resulted from error in sampling, analysis, or natural variation in background groundwater quality in accordance with s. NR 508.06 (2) (f) 2.

4. For the purposes of determining the point of standards application for a groundwater quality exceedance at a CCR well, the horizontal distance for the design management zone under s. NR 140.22 (3) (a) for a CCR landfill is 0 feet from the waste boundary and may not be expanded by the department under s. NR 140.22 (3) (b). The waste boundary shall include the horizontal space taken up by any liner, dike, or other barrier designed to contain CCR waste.

(m) The owner or operator of a CCR landfill shall prepare an annual groundwater monitoring and corrective action report for submittal to the department. The annual groundwater monitoring and corrective action report shall be placed in the written operating record and posted on a publicly accessible internet site under s. NR 506.17 (2) and (3) no later than January 31 of the year following the calendar year a groundwater monitoring system has been approved by the department, and annually thereafter. For the preceding calendar year, the annual report shall document the status of the groundwater monitoring and any corrective action implemented at the CCR landfill, summarize key actions completed, describe any problems encountered, discuss actions to resolve the problems, and project key activities for the upcoming year. At a minimum, the annual groundwater monitoring and corrective action report shall contain all of the following information, to the extent available:

1. A map, aerial image, or diagram showing the CCR landfill and all upgradient and downgradient monitoring wells, including

the well identification numbers, that are part of the groundwater monitoring for the CCR landfill.

2. Identification of any monitoring wells that were installed or decommissioned during the preceding year, along with a narrative description of why those actions were taken.

3. In addition to all the monitoring data obtained under par. (L), a summary including the number of groundwater samples that were collected for analysis for each upgradient and downgradient well, the dates the samples were collected, and whether the sample was required by detection monitoring or assessment monitoring.

4. A narrative discussion of any transition between monitoring including the date and circumstances for transitioning from detection monitoring to assessment monitoring in addition to identifying any constituents detected above ch. NR 140 standards.

5. A section at the beginning of the annual report that provides an overview of the current status of groundwater monitoring and corrective action for the CCR landfill. At a minimum, the summary shall include all of the following:

a. At the start of the current annual reporting period, whether the CCR landfill was operating under detection monitoring or assessment monitoring.

b. At the end of the current annual reporting period, whether the CCR landfill was operating under detection monitoring or assessment monitoring.

c. If it was determined by the owner or operator that there was a groundwater quality exceedance under ch. NR 140 for one or more constituents listed under ch. NR 507 Appendix I for CCR wells, a listing of those constituents, the names of the monitoring wells associated with the exceedances, and the date when the assessment monitoring was initiated for the CCR landfill.

d. If corrective action measures were required, the date when the assessment of corrective measures was initiated for the CCR landfill, the date when the public informational hearing under s. NR 508.06 (3) (e) was held for the discussion of the results of the remedial action options report, and the date when the assessment of corrective measures was completed.

e. If a remedy was required under ch. NR 508 during the annual reporting period, the date of remedy selection, and whether remedial activities were initiated or are ongoing during the annual reporting period.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; CR 21–076: cr. (3) Register July 2022 No. 799, eff. 8–1–22; correction in (3) (intro.), (i), (m) 3., 5. c. made under s. 35.17, Stats., Register July 2022 No. 799.

NR 507.16 Sampling plan. The owner or operator shall submit a sampling plan for all monitoring devices at the facility for approval as part of the feasibility report. The sampling plan shall be implemented as approved in writing by the department. The sampling plan shall follow procedures and methodologies specified by the department and shall comply with the requirements in s. NR 140.16.

Note: The department developed the Groundwater Sampling Desk Reference, PUBL–DG–037 96, document sales stock no. 1728D, September 1996, and Groundwater Sampling Field Manual, PUBL–DG–038 96, document sales stock no. 1729D, September 1996. These publications are available at <http://dnr.wi.gov/org/water/dwg/gw/pubdnld.htm>. They may also be obtained from the department of administration, document sales & distribution, 4622 University Avenue, Madison, WI 53705–2156, (800) 362–7253, <http://docsales.wi.gov>. The reference and manual are available for inspection at the offices of the department of natural resources, the legislative reference bureau and the secretary of state.

(1) CONTENTS OF SAMPLING PLAN. At a minimum, the following information shall be included in the sampling plan:

(a) An 8 1/2 by 11 inch site map showing locations of all sample points and devices. An 11 by 17 inch site map may be included if clarity is compromised using the 8 1/2 by 11 inch size. Different symbols shall be used to differentiate types of monitoring devices such as groundwater monitoring wells, collection lysimeters and gas monitoring wells. Each sample point shall be labeled.

(b) A sample schedule, including all of the following:

1. The months that each sample point is to be sampled.
2. The sampling period, as designated by the department.
3. The list of parameters that are to be analyzed for in the sample from each monitoring device during each month that sampling occurs.

(c) Procedures for field measurements, including all of the following:

1. The order in which wells should be sampled if the groundwater has been impacted by regulated or other activities.
2. The procedures and type of equipment used to measure water level elevations.
3. The procedures and type of equipment used to measure temperature, pH, conductivity and procedures to determine turbidity, odor and color.

(d) Procedures for purging wells, including all of the following:

1. Procedures to purge wells prior to collecting samples.
2. Procedures for determining the volume of water to be removed from each well.
3. The type of equipment used to purge wells.
4. The rate of flow while purging, when applicable.
5. Procedures to clean purging equipment between wells.
6. The amount of time required between purging and sampling.

(e) Procedures for obtaining samples from wells, including all of the following:

1. Procedures and type of equipment used to retrieve samples.
2. Volume of sample required for analysis.
3. Procedures and type of equipment to filter samples, including when to filter and when not to filter samples, if applicable.
4. The rate of flow when sampling, when applicable.
5. Procedures and type of equipment to physically and chemically preserve samples.
6. Procedures to clean sampling equipment following sampling of one well and prior to sampling the next well.

(f) Procedures for establishing field quality assurance and quality control, including all of the following:

1. Field blank, duplicate sample and trip blank procedures.
2. The frequency at which the field blanks, duplicate samples and trip blanks will be collected or processed.

(g) Special procedures to sample water supply wells.

(h) Special procedures to sample leachate headwells and other devices.

(i) Chain of custody procedures, including persons responsible for sampling and methods for transporting samples to the laboratory.

(2) AVAILABILITY OF SAMPLING PLAN. A copy of the approved sampling plan shall be kept at the facility or at the office of the facility owner and a copy shall be provided to the sampling personnel for use during sampling. The approved sampling plan shall be followed unless the department is notified of and concurs with modifications. The owner or operator shall submit documentation of the approved changes to the department within 90 days. The owner or operator shall retain field records of all monitoring activities throughout the long-term care period.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.17 Sampling, analysis, and laboratory requirements. This section applies to all sampling required under chs. NR 507 and 508. The owner or operator shall obtain and analyze samples according to the approved sampling plan and the following requirements:

(1) FIELD MEASUREMENTS. The owner or operator shall observe and record physical measurements in the field at the time

of sampling each groundwater monitoring well or leachate well, including all of the following:

(a) *Water level elevation.* Water level elevations shall be measured prior to purging the well for sampling and recorded to the nearest 0.01 foot. The elevation shall be corrected to national geodetic survey datum. The measuring point shall be the top of the well casing and shall be identified on the well itself if the top of the casing is not level.

(b) *Physical appearance.* The physical appearance of the sample, including color, odor and turbidity, shall be recorded at the time of sampling.

(c) *Chemical measurements.* Field specific conductance at 25°C and field pH shall be measured immediately following purging of each well. If the well can be purged dry, these measurements shall be taken when the sample is collected. Field specific conductance readings shall be corrected to 25°C if the meter used does not automatically correct for temperature.

(2) SAMPLE COLLECTION. Samples shall be collected in accordance with the approved sampling plan under s. NR 507.16.

(3) ANALYTICAL PARAMETERS. The analytical parameters which shall be used for environmental monitoring under this chapter are listed in ch. NR 507 Appendices I through IV. The department may require analysis of additional parameters depending on the characteristics of the waste, the raw process materials used, or the provisions of ch. NR 140.

(4) ANALYTICAL METHODS. Groundwater, lysimeter and leachate samples shall be handled and analyzed in accordance with the requirements of methods listed in subch. VII of ch. NR 149. Screening methods may not be used unless approved in writing by the department. Water supply samples shall be handled in accordance with s. NR 507.20. The department may approve alternative analytical methods under s. NR 149.42.

(5) LABORATORY REQUIREMENTS. All chemical analyses shall be conducted by a laboratory certified under s. 299.11, Stats., and ch. NR 149. The limit of detection and the limit of quantitation shall be determined according to s. NR 149.48 (2) and (3). The analytical laboratory shall meet the requirements of the analytical method and ch. NR 149. Section NR 140.16 (4) applies to analytical results that do not meet the requirements of this subsection.

Note: Subchapter VII of ch. NR 149 requires each laboratory to maintain a quality control program and to document the quality control data. The same subchapter allows the department to request a copy of quality control data to be submitted for its review.

(6) DATA REPORTING REQUIREMENTS. The owner or operator shall report laboratory quality control indicators in accordance with s. NR 507.26 (3) (b).

(7) OTHER/TEST REQUIREMENTS. The following tests shall be performed using department guidance, or if no guidance is available, current industry standards or procedures:

- (a) Physical tests of soil.
- (b) Physical tests of waste.
- (c) Chemical tests of waste.
- (d) Air quality tests.
- (e) Gas tests.
- (f) Field pH tests.
- (g) Field conductivity tests.
- (h) Product quality testing.
- (i) Nutrient testing of soils and waste.
- (j) Turbidity tests.
- (k) Water elevation.
- (L) Temperature.
- (m) Leachate liner compatibility testing.

Note: ASTM International publishes methods for these tests. Copies of ASTM methods may be obtained from: ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, (610) 832–9585, www.astm.org.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; CR 05–020: am. (4) and (5) Register January 2006 No. 601, eff. 2–1–06; corrections in (4) and (5) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688; CR 17–046: am. (4), (5) Regis-

ter February 2021 No. 782, eff. 6–29–21; correction in (4) made under s. 13.92 (4) (b) 7., Stats., Register July 2021 No. 787.

NR 507.18 Baseline groundwater quality sampling.

An applicant for a proposed facility for all its monitoring wells and the owner or operator of an existing facility for its designated Subtitle D wells shall establish baseline groundwater quality in accordance with subs. (1) to (3). Owners or operators shall establish baseline groundwater quality at all new or replacement groundwater monitoring wells in accordance with sub. (4). The department may require the owners or operators of other facilities at which monitoring is required to establish baseline groundwater quality in accordance with sub. (4). Collection, handling and analysis of groundwater monitoring samples specified in subs. (1) to (4) shall be performed in accordance with ss. NR 507.16 and 507.17.

(1) BASELINE GROUNDWATER QUALITY FOR DETECTION MONITORING PARAMETERS EXCEPT VOCs. (a) Baseline groundwater quality shall be established at all wells that were installed outside the proposed limits of filling to evaluate the proposed facility. Samples shall be analyzed for each detection monitoring parameter as appropriate for the particular waste types accepted at the landfill. Chapter NR 507 Appendix I, Tables 1, 1A, and 2 indicate which parameters shall be analyzed for each waste type. The department may require additional parameters based on the waste types and waste characteristics accepted at the landfill.

(b) The owner or operator shall obtain and analyze a minimum of 8 samples to determine baseline groundwater quality for the parameters required under this subsection. For a proposed facility, a minimum of 4 samples, with at least 30 days between sampling rounds, shall be taken and analyzed and the results shall be submitted with the feasibility report. The remaining samples shall be taken with at least 30 days between sampling rounds and the results shall be submitted with the plan of operation unless otherwise approved in writing by the department.

(2) BASELINE GROUNDWATER QUALITY FOR PUBLIC HEALTH AND WELFARE PARAMETERS NOT INCLUDED AS DETECTION MONITORING PARAMETERS IN SUB. (1). (a) Unless otherwise specified by the department, baseline groundwater quality shall be established at all wells outside the proposed limits of filling which were installed to evaluate the proposed facility. Baseline water quality for these wells shall be established for the public health and welfare groundwater quality standards listed in ch. NR 507 Appendix I, Table 3.

(b) For a proposed facility, a minimum of 4 samples, with at least 30 days between sampling rounds, shall be collected and analyzed and the results shall be submitted with the feasibility report. Four additional samples, with at least 30 days between sampling rounds, shall be collected and analyzed for any parameter listed in ch. NR 507 Appendix I, Table 3 from any well which meets one or more of the following criteria:

1. One of the initial 4 sample values attains or exceeds the ES for that parameter.
2. Two or more of the initial 4 sample values attains or exceeds the PAL for that parameter.
3. The average of the initial 4 sample values attains or exceeds the PAL for that parameter.

(c) If additional samples are required under par. (b), the results of the 4 additional samples shall be submitted in the plan of operation and in accordance with s. NR 507.26 (3).

(3) BASELINE GROUNDWATER QUALITY FOR VOCs. (a) Baseline groundwater quality shall be established for all VOCs listed in ch. NR 507 Appendix III, at all monitoring wells outside the proposed limits of filling. Landfills designed to accept CCR and CCR landfills are exempt from baseline groundwater quality monitoring for VOCs.

(b) Samples shall be collected for VOC analysis from each well at the same time as the first and second sampling rounds for

the other detection monitoring parameters. If any well has VOC parameters in concentrations above their limit of detection in either of the first 2 sampling rounds, that well shall be sampled for VOCs 2 additional times for a total of 4 sampling rounds. The results shall be submitted with the feasibility report and in accordance with s. NR 507.26 (3).

(4) BASELINE GROUNDWATER QUALITY AT NEW OR REPLACEMENT MONITORING WELLS. All new or replacement groundwater monitoring wells installed after July 1, 1996, shall be sampled on a semi-annual basis beginning with the sampling event following installation for the parameters specified in subs. (1) to (3) to establish baseline groundwater quality. The results shall be submitted in accordance with s. NR 507.26 (3). The department may waive the requirement to establish baseline groundwater quality monitoring for a replacement well which is established in the same environment and proximity as the well being replaced.

(5) BASELINE GROUNDWATER QUALITY SAMPLING AT CCR WELLS. (a) Baseline groundwater quality shall be established by the owner or operator of a CCR landfill at all CCR wells installed outside the proposed limits of filling to evaluate groundwater quality in the uppermost aquifer beneath the CCR landfill as provided in par. (b). Samples shall be analyzed for each monitoring parameter as indicated under ch. NR 507 Appendix I, Tables 1A and 3 for detection and baseline monitoring for CCR wells.

(b) The owner or operator of a CCR landfill shall obtain, analyze, and submit the results from a minimum of 8 groundwater quality samples from each CCR well to the department to determine baseline groundwater quality for the parameters required under this subsection. The information shall be submitted as part of the plan of operation modification required under s. NR 514.045 or the feasibility report for a proposed landfill.

(c) The department may not approve a CCR landfill at a location where a preventive action limit or enforcement standard adopted under s. NR 140.10 or 140.12 has been attained or exceeded in the baseline monitoring sampling results unless the department grants an exemption to those standards in accordance with s. NR 140.28 as part of a CCR landfill feasibility determination, plan of operation approval, or plan of operation modification approval under s. NR 514.045.

(d) A preventive action limit for lithium shall be established by the department at each CCR well in accordance with s. NR 140.20 (2) (c) set at the background water quality plus 3 standard deviations.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; corrections in (1) (a), (2) (a), (3) (a) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688; CR 21–076: am. (1) (a), (3) (a), cr. (5) Register July 2022 No. 799, eff. 8–1–22.

NR 507.19 Detection groundwater monitoring.

Owners or operators of solid waste disposal facilities shall implement a detection groundwater monitoring program in accordance with this section and the approved plan of operation unless otherwise approved in writing by the department. If assessment monitoring is a required response in accordance with s. NR 508.05, the owner or operator shall continue detection monitoring at all wells without interruption unless the department approves otherwise. The department may require the owner or operator of a solid waste disposal facility to sample water supply wells in accordance with s. NR 507.20.

(1) NUMBER OF REQUIRED MONITORING POINTS. The number of required monitoring points and the proposed detection monitoring program shall be as approved in writing by the department based on the facility size, waste types, facility design and hydrogeologic and geologic setting of the facility. The detection monitoring program shall be adequate to determine upgradient and downgradient water quality, horizontal and vertical gradients and to detect any impacts from the facility on groundwater quality.

(2) SAMPLING FREQUENCY. The minimum sampling frequency for detection groundwater monitoring shall be appropriate for the particular waste types accepted at the landfill and are listed in

ch. NR 507 Appendix I, Tables 1, 1A, and 2. The department may approve other sampling frequencies in writing.

(3) SAMPLING PARAMETERS. The sampling parameters required for detection groundwater monitoring shall be appropriate for the particular waste types accepted at the landfill. Chapter NR 507 Appendix I, Tables 1, 1A, and 2 indicate which sampling parameters are appropriate for each waste type. Chapter NR 507 Appendix III lists the volatile organic compounds to be sampled when a VOC scan is required. The department may approve other sampling parameters in writing. If 10 percent or more of a municipal solid waste landfill's total design capacity consists of a waste type listed in ch. NR 507 Appendix I, Table 2, the detection monitoring program shall include the additional parameters listed in ch. NR 507 Appendix I, Table 2 for that waste type. The owner or operator may demonstrate that a parameter is not present in the waste or leachate. The department shall review such a demonstration and take the appropriate action.

(4) PREVENTIVE ACTION LIMITS. Preventive action limits for inorganic detection monitoring parameters shall be calculated in accordance with s. NR 507.27.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; corrections in (2), (3) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688; **CR 21–076: am. (2), (3) Register July 2022 No. 799, eff. 8–1–22; correction in (3) made under s. 35.17, Stats., Register July 2022 No. 799.**

NR 507.20 Water supply well monitoring. The department may require the owner or operator to sample water supply wells as part of a detection groundwater monitoring program or to determine the extent of groundwater contamination.

(1) WATER SUPPLY WELL SAMPLES. (a) Water supply well samples shall be collected and handled in accordance with the procedures specified in ch. NR 809.

(b) Water supply well samples shall be analyzed by methods equivalent to, or at least as stringent as, methods specified in ch. NR 809. If VOCs are required for analysis, results for all VOCs listed in ch. NR 507 Appendix III shall be reported to the department.

(c) Water supply well samples may not be filtered.

(2) NOTIFICATION OF REFUSAL TO GRANT ACCESS. If a property owner refuses access to a water supply well, the owner or operator shall notify the department in accordance with s. NR 507.26 (2) (b).

(3) PRIVATE WATER SUPPLY WELL DOCUMENTATION. The owner or operator of a solid waste disposal facility which is required by the department to sample private wells shall do each of the following during the first round of sampling after July 1, 1996:

(a) Attach a label supplied by the department to each private well.

(b) Submit to the department along with the sampling results all the information on the groundwater monitoring inventory form 3300–067 for each well.

Note: The form is available at <http://dnr.wi.gov/topic/Groundwater/forms.html>. It may also be obtained from the department of natural resources, bureau of waste management, 101 South Webster Street, P.O. Box 7921, Madison, WI 53707–7921, (608) 266–2111, waste.management@dnr.state.wi.us.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; CR 05–020: am. (1) (a), (b) and (3) (b) Register January 2006 No. 601, eff. 2–1–06; correction in (1) (b) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688.

NR 507.21 Lysimeter fluid and leachate monitoring. The owner or operator of a solid waste disposal facility shall sample lysimeter fluid and leachate in accordance with this section.

(1) SAMPLING PARAMETERS. Owners or operators of landfills shall sample lysimeter fluid and leachate beginning with the first sampling period following acceptance of waste in accordance with ch. NR 507 Appendix I, Tables 4 and 5 or as otherwise approved by the department in writing. If 10% or more of a municipal solid waste landfill's total design capacity consists of municipal solid waste combustor residue, paper mill sludge, fly or bottom ash, or foundry sand, the lysimeter and leachate monitoring shall include the additional parameters listed in ch. NR 507

Appendix I, Table 4 or 5 for those waste types. The owners or operators shall maintain records of all leachate pumped and at a minimum shall record the information annually. The owners or operators shall report the monthly leachate volumes and lysimeter fluid volumes to the department semi-annually in accordance with s. NR 507.26 (3).

(2) ADDITIONAL LEACHATE SAMPLING. Owners or operators of municipal solid waste facilities required to designate Subtitle D wells in accordance with s. NR 507.15 (2) (a) may monitor leachate annually for parameters listed in ch. NR 507 Appendix II. Within 14 days after obtaining the leachate sampling results, the owner or operator shall place the results in the operating record and, within 60 days after the end of the sampling period, submit the results to the department.

(3) LEACHATE HEAD MONITORING. Owners or operators of solid waste disposal facilities shall sample all leachate head wells for leachate head levels on a quarterly basis, at a minimum, unless otherwise approved by the department, and report the data to the department semi-annually and in accordance with s. NR 507.26 (3).

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; CR 05–020: cr. (3) Register January 2006 No. 601, eff. 2–1–06; corrections in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688.

NR 507.215 Leachate recirculation monitoring. The owner or operator of a solid waste facility that recirculates leachate shall sample for, maintain records of, and report to the department as required the following:

(1) LIQUID MASS BALANCE. The volumes of leachate extracted from each leachate drainage basin, the volumes of leachate recirculated into each leachate drainage basin and monthly precipitation records from on-site instrumentation or the nearest national weather system station.

(2) LEACHATE HEAD. The monthly level of leachate head on the liner in each leachate drainage basin where recirculation has been implemented.

(3) LEACHATE CHARACTERISTICS. Samples of leachate shall be taken quarterly from the sump or leachate collection tanks. Those samples shall be tested semiannually for a VOC scan and quarterly for the following parameters:

- (a) BOD.
- (b) COD.
- (c) Ammonia–nitrogen.
- (d) Field pH.
- (e) Field specific conductance.
- (f) Alkalinity.
- (g) Hardness.

(4) LANDFILL GAS. (a) The monthly total volume of gas extracted from each leachate drainage basin. Gas volumes shall be recorded for a period of at least 3 years beyond the termination of leachate recirculation.

(b) An annual assessment of the liquid level in each gas extraction well.

History: CR 04–077: cr. Register November 2005 No. 599, eff. 12–1–05.

NR 507.22 Gas monitoring. **(1) GAS MIGRATION.** The department may require the owner or operator to install gas monitoring devices, to prepare and submit gas sampling and analysis programs and to monitor for gas migration. If explosive gases are detected in any gas monitoring well located outside of the limits of filling, the department may require any or all of the following: more frequent monitoring, monitoring for pressure or other parameters, and the installation of additional gas monitoring wells which may include nests of wells screened over shorter vertical intervals. Where monitoring is required, the owner or operator shall comply with all of the following:

(a) *Sampling parameters.* The owner or operator shall sample gas monitoring wells quarterly for percent methane and percent oxygen. Each time a well is sampled, the following shall be

recorded: temperature, ground condition, barometric pressure, information as to whether the barometric pressure is rising or falling, and initial and stabilized methane levels. Initial readings are not required to be reported unless the stabilized reading for a particular monitoring point drops to zero.

(b) *Sampling.* Sampling shall be performed with properly calibrated instruments. When a gas monitoring well is being sampled, the gas monitoring instrument shall be attached to the well prior to opening the valve on the gas monitoring well.

(c) *Notification and remediation.* The owner or operator shall immediately notify the department and take all necessary steps to protect public health and welfare if a stabilized reading exceeds the lower explosive limit of any explosive gas generated by the waste fill in the soils outside of the limits of filling or air within 200 feet of the landfill property boundary or beyond the landfill property boundary, or 25% of the lower explosive limit in any facility structure, excluding gas control or recovery system components. Within 30 days of determining that the applicable gas level was exceeded, the owner or operator shall submit a remediation plan to the department describing the degree and extent of the problem and the proposed remedy. Within 60 days of determining that the applicable gas level was exceeded, the owner or operator shall implement the remediation plan. As additional requirements for owners or operators of landfills meeting the requirements of s. NR 507.15 (2), within 7 days of determining that the applicable gas level was exceeded, the operating record shall be updated to indicate the level detected and the steps taken to protect public health. The proposed remediation plan and notification of its implementation shall also be placed in the operating record. The department may upon written request, approve alternate schedules for submittal and implementation of the remediation plan.

(2) *GAS EXTRACTION.* The department may require the owner or operator to install monitoring ports and conduct monitoring activities to determine the effectiveness of any gas extraction or venting system.

(3) *REPORTING.* Unless otherwise approved by the department, the owner or operator shall report gas monitoring results to the department no less frequently than semi-annually and in accordance with s. NR 507.26 (3).

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96; CR 05–020: m. to (1) and am., cr. (2) and (3) Register January 2006 No. 601, eff. 2–1–06.

NR 507.23 Surface water monitoring. The department may require the owner or operator to monitor storm water runoff, leachate seeps, sumps, sedimentation ponds, any surface water bodies including wetlands and other storm water discharges resulting from facility operation. Unless otherwise approved by the department, the owner or operator shall report surface water monitoring results in accordance with s. NR 507.26 (3).

(1) *SAMPLE COLLECTION.* All sampling shall be done in accordance with plans approved by the department. The owner or operator shall record the amount of precipitation in the 24 hours prior to sampling and submit the information with the sample results.

(2) *IDENTIFICATION.* All surface water sampling locations shall be surveyed and permanently and clearly marked.

(3) *LOCATION.* All surface water monitoring points shall be documented in accordance with s. NR 507.14 (1) and (5) (a). All elevations shall be corrected to the national geodetic survey datum and recorded to the nearest 0.01 foot.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.24 Air monitoring. If the facility has the potential to cause air pollution as defined in s. 285.01 (3), Stats., the department may require the owner or operator to monitor air quality for particulates, toxics or other constituents in the ambient air from point sources or in buildings at or associated with the facility. The department shall specify sampling times and locations and all

sampling shall be implemented in accordance with plans approved by the department.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.25 Other monitoring. If the facility has the potential to cause environmental pollution as defined in s. 299.01 (4), Stats., the department may require the owner or operator to monitor any or all of the following: landfill settlement; berm, side-slope and final cover stability; vegetative growth; drainage control structures; gradient control systems; and any other aspects of facility operation. All required monitoring shall be done in accordance with plans approved by the department. The department may require geophysical investigations to complement groundwater monitoring efforts.

History: Cr. Register, June, 1996, No. 486, eff. 7–1–96.

NR 507.26 Documentation of environmental monitoring. The owner or operator of a solid waste disposal facility shall document all sampling and analysis activities in accordance with this section.

(1) *FIELD RECORDS.* Field records of all monitoring activities shall be prepared in sufficient detail to document whether the sampling plan has been followed. The facility owner or operator shall retain all field records in an operating record at the facility or in an alternative location approved by the department until the end of the long-term care period for the facility. Field records shall be available for department inspection on request.

(2) *WATER SUPPLY WELL SAMPLING RESULTS.* (a) The owner or operator shall report to the department the results of all water supply well sampling required by the department within 10 days after receipt in accordance with ch. 160, Stats. The results shall be accompanied by 2 copies of a cover letter which highlights values that attain or exceed enforcement standards in s. NR 140.10 Table 1. The owner or operator shall report to the department the results of all water supply well sampling required by the department in accordance with sub. (3).

(b) If the owner or operator is unable to sample a water supply well because the property owner refuses access, the responsible parties shall notify the department within 30 days after the refusal, and shall document in writing within 60 days, the efforts undertaken to gain access when requested by the department.

(3) *ALL OTHER ENVIRONMENTAL MONITORING RESULTS.* The owner or operator shall submit sampling results and water elevation data to the department within 60 days of the end of the sampling period. An explanation of any deviation from the approved sampling plan or analytical procedures shall be submitted at the same time.

(a) *Data submittal format.* The owner or operator shall submit results of all environmental monitoring in an electronic format specified by the department.

Note: The specific data formats for electronic monitoring result submittals can be obtained from the department of natural resources, bureau of waste management, 101 S. Webster Street, P.O. Box 7921, Madison, WI 53707–7921. (608) 266–2111, waste.management@dnr.state.wi.us.

(b) *Sampling results.* The owner or operator shall submit all sampling results above the limit of detection. In addition, the owner or operator shall submit all of the following information for each sampling round:

1. The limit of detection and the limit of quantitation for each parameter with a public health related groundwater standard. The limit of detection and the limit of quantitation shall be determined in accordance with a method specified by the department as required in s. NR 149.48 (2) and (3).

2. A result qualifier for each detected parameter with a reported value between the limit of detection and the limit of quantitation.

3. The analytical method used with each parameter for each sample.

4. Quality control flags to indicate all of the following:

a. All parameters that are also detected in method blanks, trip blanks or field blanks or both in concentrations above the limit of detection;

b. All parameters from samples which fail to meet preservation and holding times specified in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” EPA Publication SW-846, third edition, November 1986, as amended by Updates I in July 1992, II in September 1994, IIA in August 1993, IIB in January 1995, III in December 1996 and IIIA in April 1998.

Note: The test methods are available at no cost at <https://www.epa.gov/hw-sw846/basic-information-about-how-use-sw-846#UseWhich>. Copies of the test methods are available for inspection at the offices of the department of natural resources, the secretary of state and the legislative reference bureau. Copies may be obtained from the superintendent of documents, U.S. government printing office, P.O. Box 371954, Pittsburgh, PA 15250-7954, (866) 512-1800, www.gpo.gov. Copies may also be obtained from the national technical information service, 5285 Port Royal Road, Springfield, VA 22161, (800) 553-6847, www.ntis.gov.

c. All parameters which fail to meet quality control specifications in subch. VII of ch. NR 149.

5. Laboratory certification identification number as specified in ch. NR 149.

(c) *Notification.* The owner or operator shall notify the department of values which have attained or exceeded groundwater standards in accordance with s. NR 507.30.

History: Cr. Register, June, 1996, No. 486, eff. 7-1-96; CR 05-020: am. (2) (a), (3) (a) 1., (b) 1. and 4. b., r. (3) (a) 2. Register January 2006 No. 601, eff. 2-1-06; corrections in (3) (b) 1. and 4. c. made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688; CR 17-046: am. (3) (b) 1. Register February 2021 No. 782, eff. 6-29-21.

NR 507.27 Calculation of groundwater standards.

The owner or operator shall propose PALs for inorganic monitoring parameters and ACLs and submit PAL or ACL calculations to the department for approval. Calculations of PALs for inorganic monitoring parameters and ACLs shall be based on historical data for each well unless the department determines that data from a well with similar groundwater quality may be used.

(1) **PREVENTIVE ACTION LIMITS.** The owner or operator of an existing solid waste disposal facility shall calculate PALs for inorganic detection monitoring parameters at the direction of the department. Applicants for a proposed solid waste disposal facility shall calculate PALs for inorganic detection monitoring parameters prior to submitting the plan of operation. Detection monitoring parameters are listed in ch. NR 507 Appendix I Tables 1, 1A, and 2. The owner or operator shall calculate PALs for the inorganic detection parameters required at each well in accordance with the methods specified in s. NR 140.20. PALs are not required for pH or temperature. PALs may not be calculated for any parameter that has an ES established in ch. NR 140. The department may require the owner or operator to conduct additional sampling if the department determines that the data used to calculate a PAL is not representative of background water quality.

(2) **ALTERNATIVE CONCENTRATION LIMITS.** Applicants for proposed solid waste disposal facilities and the owner or operator of an existing solid waste disposal facility may request an exemption and calculate ACLs for any inorganic public health or welfare parameter that has established standards listed in ch. NR 140 Tables 1, 1A, and 2 in accordance with s. NR 507.29.

Note: Guidance for calculations is available from the department of natural resources, bureau of waste management, 101 South Webster Street, P.O. Box 7921, Madison, WI 53707-7921, (608) 266-2111, waste.management@dnr.state.wi.us.

History: Cr. Register, June, 1996, No. 486, eff. 7-1-96; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register April 2013 No. 688; CR 21-076: am. (1), (2) Register July 2022 No. 799, eff. 8-1-22.

NR 507.28 Evaluation of groundwater standards exceedances.

The owner or operator shall determine whether a groundwater standard has been attained or exceeded and whether a PAL or ES applies in accordance with this section.

(1) **DETERMINATION OF GROUNDWATER STANDARD EXCEEDANCE.** The owner or operator shall determine whether a reported

value has attained or exceeded a PAL or ES in accordance with s. NR 140.14.

(2) **THE POINT OF STANDARDS APPLICATION.** The point of standards application to determine if a PAL or ES has been attained or exceeded is specified in either s. NR 140.22 (2) or (3) or s. NR 507.15 (3) (L) 4. for a CCR well. The design management zone and waste boundary are defined in s. NR 140.22 (3). The department may consider an expansion or reduction of the design management zone, excluding CCR wells, in accordance with s. NR 140.22 (3) (b) to (d). For purposes of evaluating compliance, a groundwater monitoring well located at the property line is a point of standards application for an ES.

(3) **DEMONSTRATION OF A FALSE GROUNDWATER STANDARD EXCEEDANCE.** The owner or operator may demonstrate, by resampling or other means, that a source other than the solid waste disposal facility caused the contamination or that the sample result attaining or exceeding a groundwater standard is due to an error. The owner or operator shall notify the department of the intent to either begin assessment monitoring or determine that a false exceedance has occurred. The owner or operator shall submit the statement of intent with the notification required in s. NR 507.30 (1). The owner or operator shall submit the written demonstration of false exceedance with the results of the next routine monitoring.

History: Cr. Register, June, 1996, No. 486, eff. 7-1-96; CR 21-076: am. (2) Register July 2022 No. 799, eff. 8-1-22.

NR 507.29 Exemptions to groundwater standards.

The owner or operator of a solid waste disposal facility may request an exemption to groundwater standards in accordance with ss. NR 140.28 and 500.08 (4) and this section. The exemption request shall be submitted to the department in writing. The department may require additional information in order to review the exemption request.

(1) **EXEMPTION SUBMITTAL.** The exemption request shall include all of the following:

(a) A list of the specific wells and parameters for which an exemption is being requested.

(b) Proposed ACLs and calculations in accordance with s. NR 507.27.

Note: For proposed facilities, the information required in par. (b) may be submitted with the plan of operation.

(c) A discussion of how the criteria listed in s. NR 140.28 (2), (3) or (4) are met.

(2) **ACLs.** The department may approve ACLs in its response to the exemption request.

History: Cr. Register, June, 1996, No. 486, eff. 7-1-96.

NR 507.30 Notification and response when values attain or exceed a standard.

The owner or operator of a solid waste facility shall notify the department in writing and respond as follows when a groundwater standard at the point of standards application or an explosive gas level has been attained or exceeded at the following devices:

(1) **ALL GROUNDWATER MONITORING WELLS.** (a) The owner or operator shall notify the department in writing if any value attains or exceeds a groundwater standard. The notification shall specify the parameters for which standards have been attained or exceeded and the wells at which the standard was attained or exceeded and it shall provide a preliminary analysis of the cause and significance of each concentration in accordance with s. NR 140.24 (1) (a) or 140.26 (1) (a). The sampling results and 2 copies of the notification shall be submitted to the department within 60 days from the end of the sampling period.

(b) When a groundwater standard has been attained or exceeded, the owner or operator shall respond in accordance with ch. NR 508.

(2) **WATER SUPPLY WELLS.** The owner or operator shall notify the department in writing if any value in a water supply sample attains or exceeds a groundwater standard or any other substances

of concern are detected in the sample. The notification shall be in accordance with ss. NR 507.26 (2) and 507.30 (1).

(3) GAS MONITORING WELLS. When a stabilized gas reading exceeds the lower explosive limit at locations specified in s. NR 507.22 (1) (c), the owner or operator shall immediately notify the department and respond in accordance with s. NR 507.22 (1) (c).

History: Cr. Register, June, 1996, No. 486, eff. 7-1-96; CR 05-020: am. (3) Register January 2006 No. 601, eff. 2-1-06.