

(f) Solid waste shall not be burned.

(g) The facility shall be operated and maintained in a sanitary, nuisance-free manner so as to protect the environment and the public health.

(h) Adequate drainage shall be maintained on and around the facility.

(10) **MONITORING.** The department may require the owner or operator to perform surface water, groundwater, unsaturated zone or gas monitoring of noncontainerized storage facilities. Monitoring shall be conducted as specified by the department. Monitoring may be required after facility closure.

(11) **CLOSURE.** Any person who owns or operates a noncontainerized storage facility or who permits the use of property for such purpose shall close the facility in accordance with any plan approval issued by the department and the following minimum practices:

(a) The owner or operator shall notify the department in writing at least 60 days prior to the closing of the facility.

(b) All solid waste shall be removed from the facility in accordance with the conditions of the approved plan of operation. The waste shall be properly utilized or disposed.

(c) The surface of the facility shall be restored in conformity with the approved plan of operation, or restored to its original condition to the extent practicable.

(12) **FINANCIAL RESPONSIBILITY.** The department may require that the owner or operator provide proof of financial responsibility for the removal, transportation and ultimate disposal of the stored material.

(13) **STORAGE OF RESIDUE PRODUCED BY BURNING MUNICIPAL SOLID WASTE.** (a) Except for on-site storage at a municipal solid waste combustor approved under s. NR 502.14, no person may maintain or operate a storage facility for residue produced by burning municipal solid waste unless the person has obtained an operating license under sub. (1), and written approval of a plan of operation under sub. (5), for the facility. Residue storage areas shall be designed, operated and maintained in compliance with the applicable portions of this section.

(b) The residue shall be wetted at all times during storage to prevent dust emissions. Alternative methods of dust control shall be approved by the department prior to implementation. Provisions shall be made to prevent the release of residue into the air in the residue handling areas.

(c) The storage area shall have an impervious surface on which the residue is stored and a collection system for any liquids coming into contact with the residue. All liquid that comes into contact with the residue which is not used as makeup water in the quench tank shall be treated at a wastewater treatment plant approved by the department.

(d) Access to the temporary storage areas shall be restricted to authorized personnel only. Fencing or other means of access control acceptable to the department shall be maintained around the storage facility.

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88; am. (4) (a), renum. (1) (b) to be (1) (c), cr. (1) (b), (2) (e) and (13), Register, May, 1992, No. 437, eff. 6-1-92.

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NR 502.06 Collection and transportation service requirements. (1) GENERAL. (a) No person may operate or maintain a collection or transportation service unless the person has obtained an operating license from the department, unless the facility is exempt under sub. (2).

(b) No person may maintain or operate a facility for the collection and transportation of residue produced by burning municipal solid waste unless the person has obtained a written approval of a plan of operation for the facility under sub. (4).

(2) **EXEMPTIONS.** The following collection or transportation services are exempt from all requirements of this section:

(a) Services for the collection and transportation of only gravel pit spoils, quarry materials, earth materials or salvageable materials other than those listed in s. 159.07 (3) or (4), Stats.

(am) Services for the collection and transportation of the materials listed in s. 159.07 (3) and (4), Stats., after the materials have been processed for reuse or recycling by conversion into a consumer product or a product which is used as a raw material in a commercial or industrial process, or which are not part of an approved effective recycling program.

(b) Services for the collection and transportation of only ordinary solid waste from a single household or ordinary household solid waste amounting to less than 20 tons per year.

(c) Services for the collection and transportation of sludge from municipal wastewater or water supply treatment plants provided it is handled in accordance with ch. 147, Stats.

(d) Services for the collection and transportation of only waste materials regulated and licensed under s. 146.20, Stats.

(e) Governmental services consisting solely of vehicles used to collect and transport roadside litter from town, village, city, county, state and federal highway right-of-way. Litter shall be disposed of at a licensed disposal facility.

(f) Services for the collection and transportation of dredge material regulated by permit or contract under s. 30.20, Stats.

(g) Services for the collection and transportation of wastes generated by an industrial company which do not travel on public roads and which utilize vehicles owned by the company.

(h) Services for the collection and transportation of whey or waste materials from fruit or vegetable processing operations.

(3) **TRANSPORTATION OF ASBESTOS WASTE.** All services collecting and transporting asbestos shall meet the minimum requirements of the applicable air management rules.

(4) **PLAN OF OPERATION FOR TRANSPORTATION OF RESIDUE PRODUCED BY BURNING MUNICIPAL SOLID WASTE.** (a) No person may maintain or operate a facility for the collection and transportation of residue produced by burning municipal solid waste unless the person has obtained an operating license and written approval of a plan of operation for the facility.

(b) The plan of operation shall specify the intent and objectives of the proposal and indicate methods and procedures to minimize adverse environmental impacts. Unless an exemption is granted by the department in writing, the plan shall be submitted in accordance with s. NR 500.05 (1) to (3) and shall contain, at a minimum, the following information:

1. A legal description of the property and the facility boundaries.
2. The present ownership of the proposed facility property.
3. The operator of the facility.
4. The types of vehicles used to haul residue to a landfill or processing facility.
5. The names and locations of all solid waste disposal facilities to which residue may be hauled.
6. The names and locations of all facilities that residue produced by burning municipal solid waste will be collected from.
7. The method used to restrict access to the residue transport vehicles to authorized personnel only.
8. The methods used to prevent spillage and wind blown residue.

(c) Any licensed residue collection and transportation service which is in operation on June 1, 1992 shall submit a plan of operation in accordance with this subsection no later than 3 months after June 1, 1992.

(d) No residue collection or transportation service may begin initial operation after June 1, 1992, unless a plan of operation under this section has been approved by the department.

(5) TRANSPORTATION OF RESIDUE PRODUCED BY BURNING MUNICIPAL SOLID WASTE. (a) The transportation of residue produced by burning municipal solid waste shall be in accordance with the applicable portions of this section.

(b) The residue shall contain sufficient moisture during transportation to prevent dust emissions. Alternative methods of dust control shall be approved by the department prior to implementation. Provisions shall be made to prevent the release of residue into air in the residue handling areas.

(c) Prior to transportation of the residue, free liquids shall be drained until no more free liquids remain. All vehicles that transport the residue shall be designed and operated as necessary to prevent leakage during operation.

(d) Access to the residue transport vehicles shall be restricted to authorized personnel only.

(e) All transportation vehicles shall be covered to adequately prevent spillage and wind blown residue during transport.

(6) OPERATIONAL REQUIREMENTS. No person may operate or maintain a solid waste collection and transportation service except in accordance with the following minimum requirements:

(a) Each vehicle shall have "WDNR" followed by the license number lettered on the driver's door. The letters shall be at least 2 inches high

with a minimum ½ inch brush stroke. The lettering shall contrast with the background so it is easy to read.

(b) Solid waste shall be transported only to facilities which are licensed or approved by the department, or to facilities which are exempt from regulation by the department.

(c) Vehicles or containers used for the collection and transportation of solid waste shall be durable, easy to clean and leak-proof, if necessary, considering the type of waste and its moisture content. All vehicles and containers shall be cleaned as frequently as necessary to prevent nuisances or insect breeding and shall be maintained in good repair.

(d) Vehicles or containers used for the collection and transportation of solid waste shall be loaded and moved in such a manner that the contents do not fall, spill or leak. Covers shall be provided to prevent littering and spillage. If spillage does occur, the operator shall immediately return spilled materials to the vehicle and shall properly clean the spill area. In the event of a spill of a hazardous substance the department shall be notified under s. 144.76, Stats., and the spill material shall be collected and the environment restored as provided in ch. NR 158.

(e) Services for the collection and transportation of recyclable materials listed in s. 159.07, Stats., shall comply with the prohibitions on land disposal and incineration in that section.

(f) Services for the collection and transportation of recyclable materials shall maintain the cleanliness of those materials for recycling purposes.

(g) Upon the request of the department, a service for the collection and transportation of recyclable materials shall provide satisfactory documentation to the department that the recyclable materials have been delivered to brokers, processors or end users of the materials. Records shall be retained for a period of 3 years from the time of delivery.

Note: A collection and transportation service which transports less than 20 tons of ordinary household solid waste per year is not required to be licensed under s. NR 502.06.

(7) **EXPANSION OR TERMINATION.** The owner or operator shall notify the department in writing of any expansion or termination of a service or of any change in disposal facilities used at least 30 days prior to the effective date of such action.

(8) **RESPONSIBILITY.** A person generating solid waste shall be responsible for the collection and transportation of the waste to a solid waste disposal facility licensed by the department unless the person contracts with a collection and transportation service licensed by the department for that purpose.

History: Cr. Register, January, 1988, No. 385, eff. 2-6-88; renum. (1) and (4) to (6) to be (1) (a) and (6) to (8), cr. (1) (b), (4) and (5), Register, May, 1992, No. 437, eff. 6-1-92; am. (2) (a), cr. (2) (am) and (6) (e) to (g), Register, September, 1993, No. 453, eff. 10-1-93.

NR 502.07 Transfer facilities. (1) **GENERAL.** No person may operate or maintain a solid waste transfer facility unless the person has received an operating license from the department, except as otherwise provided in sub. (2). Any person intending to establish or construct a solid waste transfer facility shall contact the department to arrange for an initial inspection.

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(2) EXEMPTIONS. Transfer facilities at which waste from individual users or from hand unloaded vehicles not exceeding one ton in capacity are exempt from the plan approval requirements of this chapter and licensing but shall be operated and maintained in conformance with the following practices:

(a) Containers shall be leak-proof and manufactured of nondegradable material such as metal, plastic or concrete.

(b) Where mechanical equipment is a part of the operation, access shall be limited to those times that an attendant is on duty. Access restrictions and an attendant may be required by the department for a nonmechanical facility.

(c) Containers shall be removed or emptied at least once per week and more frequently if conditions warrant.

(d) The transfer station and adjacent area shall be kept clean and free of litter.

(e) Burning of solid waste may not be conducted.

(f) Effective means shall be provided to control flies, rodents and other insects or vermin.

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