



**TURKLE - CLARK**  
**ENVIRONMENTAL**  
**CONSULTING, L.C.**

November 25, 2008

Alex Moon  
Land Quality Bureau  
IDNR Wallace Building  
502 E. 9<sup>th</sup> St.  
Des Moines, IA 50319

RE: Proposed C&D Chapter 114 comments

Dear Mr. Moon,

The following are my comments and concerns related to the Department's options for Construction and Demolition (C&D) only landfills and the proposed changes to Chapter 114. I support the IDNR adopting a form of Version 3 of your proposed options with some additional clarification and modifications.

1. The current Chapter 113 rules contain too many regulations that do not apply to C&D landfills. Federal regulations do not require C&D only landfills to comply with the rules required by MSW landfills, why should Iowa. Much of the construction requirements, QC&A rules, and monitoring requirements are not applicable to C&D only landfills. I suggest that separate and reasonable rules be retained for C&D landfills just as the IDNR currently has and plans to continue to have for monofills.
2. The current four-foot of compacted clay liner needs to continue to be allowed for C&D sites. A landfill that only accepts C&D waste would have a difficult time placing the first lift of waste on a FML liner without an expensive and thick protective layer of some sort. IDNR permit approvals for landfills with FML and composite liners specifically state that the first four feet of waste must be "select waste that is unlikely to damage the liner..." C&D waste is not considered appropriate for this "select waste." In addition, it is becoming quite apparent that IDNR does not intend to permit "alternative liners" under the new modeling requirements. In that case is vital that the rules for C&D landfills continue to allow for a four-foot compacted clay liner **without** modeling.
3. If the IDNR requires the same level of compliance for C&D only landfills that are detailed in Chapter 113, the State of Iowa will likely find it will no longer have C&D only landfills. The cost to comply with MSW landfill rules will eliminate the existing and any future C&D sites. Although this may be the goal of some, it will result in a detrimental affect on the proper disposal of C&D waste in Iowa.

The elimination of C&D only landfills will result in an increase in disposal costs in some areas particularly those without a MSW landfill nearby. Most C&D landfills charge a lower tipping fee. Communities conducting a cleanup of vacant and abandoned buildings will have to find alternative disposal options. The volumes from a major demolition project will be cost prohibitive for disposal at a transfer station. For some communities this means hauling 70 miles or more one-way to the designated landfill. Many small communities are strapped economically already. This will result in an additional economic burden on the communities and may result in some being unable to cleanup their town.

In addition, there are many rural buildings that are vacant and/or abandoned. Most property owners are willing to haul to a landfill if it is located within a reasonable distance and if it accepts the C&D waste at a reasonable price. But if large trucks and long hauls are required, the cost will become prohibitive for most owners. With an increase in costs, many of these buildings will either be buried in a farm ravine or burned and pushed into the basement and left onsite without a concern for the potential environmental affects. The result is an increase in air and/or water pollution.

The C&D landfill also provides a convenient and reasonably priced disposal site for small contractors. A longer haul and an increased in cost will result in more contractors dumping the waste in a roadside or ravine or burning the waste on the job site.

4. Those existing permitted C&D landfills that meet the current Chapter 114 regulations should be allowed to continue accepting C&D waste until their currently constructed cells reach the design capacity. Those that do not meet current Chapter 114 rules should be allowed to operate for at least three years and to achieve proper slope on the site with C&D prior to closure. Adequate slope is vital for a closed landfill to prevent settlement and ponding problems.

In summary, I advocate retaining the current separate C&D regulations with some increase in monitoring requirements. With proper enforcement and monitoring, C&D only landfills can be an environmentally sound disposal option at a reasonable cost.

Sincerely,

Cindy Turkle  
President and Senior Environmental Professional