

Jeff Myrom  
IDNR Energy & Waste Management  
5<sup>th</sup> Floor Wallace Bldg  
502 E. 9<sup>th</sup> St  
Des Moines, IA 50319

Re: IDNR letter dated 9/3/04 on MSW rule timeline

Dear Mr. Myrom,

The Woodbury County Area Solid Waste Agency is a 28E organization that is responsible for the solid waste from Woodbury County and the communities in Woodbury County except for the City of Sioux City. We are very much concerned about and object to the timeline outlined in your letter. The Agency unanimously approved this letter in response to your proposal.

Requiring all landfills to close if they are not operating in a subtitle D site by the summer of 2006 is an unrealistic expectation. We object to your proposed timeline for the following reasons:

- Although the Agency has already initiated the process of ultimately closing the landfill and constructing a transfer station, we wish to continue finishing out the remaining life of the currently approved expansion as it was initially designed and authorized by IDNR.
- We need additional time to complete construction of the transfer station and to arrange for an alternative disposal site.
- We also wish to continue using the southwest area approved for construction and demolition disposal until we reach the authorized design. To leave this area as it currently exists would result in excessive erosion problems from previously filled side slopes. To expect the Agency to stop using this area and instead be required to fill it full of dirt is a waste of Iowa's soil and an unnecessary expense to the residents of Woodbury County.
- Requiring us to close the site prematurely will require an acceleration of closure and post-closure accounts.
- If there are landfills actually causing contamination of the ground water, than require corrective actions for those sites. However, if an existing landfill is operating in compliance with the current rules and with its approved design, than allow it to complete the site as previously permitted.

We just received notice of this proposal from our consultant in time to place it on our agency agenda. If not for the early notice, we would not have another meeting until mid-October. (The notice from your office has yet to be received.) Why is the IDNR only accepting comments until October 1, 2004? Why such a hurry in this issue when public opinion is being requested? This hardly allows time for the solid waste agencies to meet, let alone for us to take the issue to the city councils and county boards. Has the EPA all of a sudden required the State of Iowa to be in compliance on non-Subtitle D landfills, and if so what is EPA's actual deadline? It is our understanding EPA was considering 2011 as a final date, not 2006.

We request you allow additional time for receiving comments. We also request the timeline for compliance with the subtitle D liner requirements be at least seven years instead of the proposed two years.

Sincerely,

Gary Merkel  
Mayor of Cushing