

December 10, 2004

Mr. Jeff Myrom, Executive Officer
Energy and Waste Management Bureau
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319

RE: Comments on MSW Landfill Rule Revisions

Dear Mr. Myrom:

HDR supports the Iowa Department of Natural Resources (IDNR) efforts to revise the MSW landfill rules in the Iowa Administrative Code (IAC) 567 – Chapter 113 to bring all landfills in the state of Iowa in compliance with the federal Subtitle D regulations and to incorporate the recently promulgated Research, Development, and Demonstration (RD&D) rule. In reviewing the current Chapter 113 regulations, September 3, 2004 memo of draft milestones and timeline, October 22, 2004 letter from USEPA Region VII, and November 4, 2004 memo of frequently asked questions, HDR has the following comments.

1. HDR recommends that a compliance schedule be finalized soon for MSW landfills to meet the Subtitle D liner requirements. A defined date would provide a catalyst to communities' planning efforts; even though IDNR has strongly encouraged owners and operators of the MSW landfills with non-Subtitle D liners to already begin planning efforts to make the transition within the current proposed timeline. The proposed timeline, in conjunction with IDNR's previous communications to Iowa stakeholders, appears to have provided sufficient time for planning.
2. As part of the rule revisions, we currently understand that the alternative liner system requirements will be revised to more closely mirror the MSW landfill design criteria in the federal Subtitle D regulations under 40 CFR 258.40 (c) and (d), and include any other demonstration criteria IDNR deems appropriate. Chapter 113 currently allows sanitary disposal projects designed and constructed in accordance with rules in effect at the time of construction not be required to redesign or reconstruct due to subsequent rule changes (567 IAC 113.7(1)). However, existing facilities may submit permits with alternative liner designs prior to approved Chapter 113 revisions, which may not meet the final regulations. Since all MSW landfills in Iowa must become in compliance with Subtitle D liner requirements within the compliance schedule, we suggest that IDNR either provide an interim guidance document for alternative liner systems meeting all of the Subtitle D

landfill design criteria or place a temporary moratorium on alternative liner approvals until the alternative liner revisions of Chapter 113 are well defined.

HDR appreciates IDNR's consideration of these comments as you move forward in the rule revision process. Please contact us at (402) 399-1000 if you have any questions. We look forward to providing further comments regarding specific standards, as requested.

Respectfully,

HDR ENGINEERING, INC.



Timothy R. Crockett, PE
Senior Vice President