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**South Central Iowa
Solid Waste Agency**

Memo

To: Jeff Myrom, Department of Natural Resources
From: Sara Bixby, Executive Director
CC: Agency Board members
Doug Luzbetak, FOX Engineering
Mike Smith, Foth & Van Dyke
Tracy Lemar, ISOSWO Technical Committee Chairman
Date: August 25, 2003
Re: DNR draft guidance statement re: MSW Landfill Expansion and Liners

Agency Interest and Understanding

South Central Iowa Solid Waste Agency (Agency) has several thousands of cubic yards of capacity in disposal areas that under the definition offered by DNR are not technically comparable to Subtitle D standards. The sequencing in our existing Development and Operations Plan (DOPs) calls for the Agency operation to fill in those areas several decades from now in a piggyback expansion after the development of contiguous horizontal expansions.

Thus, this is an interest of direct and high importance to the Agency.

Thoughts and Comments

As I understand the proposed guidance document, DNR expects all landfills to begin filling over Subtitle D comparable liners as soon as possible and definitely within 10 years. The guidance continues to allow the use of an alternative liner/equivalency study through which some landfills may construct new disposal areas without flexible membrane liners (FML). Iowa is one of few, if not the only state that continues to allow development of an alternative liner that doesn't include an FML.

The Agency is currently permitted to use a considerable amount of airspace over previously filled areas. This airspace has long been recognized within our approved DOPs as a vertical expansion. Under the DNR's proposed guidance statement, we potentially can continue to use this airspace but will be required to install, at a minimum, a drainage layer between one lift and the next within that fill area. Retaining the ability to use all or a portion of this airspace is important to our long-term development plans and economics.

A policy that complies with federal regulations, improves overall environmental performance and allows the continued use of vertical airspace, though with some modifications in current development plans, seems reasonable to the Agency.

DNR's draft guidance document proposes to establish a period of time (up to 10 years) in which landfills can revise plans and implement environmentally-sound modifications to better coordinate the use of affected cells and the implementation of future development plans. Such a phased approach is appropriate. DNR should **avoid a short-term and arbitrary compliance date** that fails to allow landfill operators to work their site into compliance. By doing so, DNR could hamper the environmental protection it seeks to gain with the changed policy. However, the Agency does encourage DNR to **set a specific, final, longer-term date by which all landfill cells will either be in compliance or closed.**

The Agency also concurs with ISOSWO's position statement, especially as regards making the draft guidance document subject to the administrative rulemaking process prior to it taking effect.

Thank you for the opportunity to provide input.