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CONSULTING, L.C.

October 4, 2004

Jeff Myron
IDNR Energy & Waste Management
5th Floor, Wallace Bldg.
502 E. 9th St.
Des Moines, IA 50319

Re: Draft milestones and timeline for MSW landfill rule revisions

Dear Jeff,

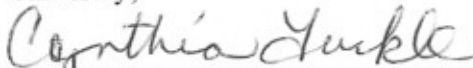
The main objection I have with your proposed timeline is the final bullet where the summer of 2006 requires "All landfills comply with revised ...Subtitle D liner standards or close" is unrealistic and unreasonable.

- Even if a landfill started immediately to design for an expansion, it could not get the design, IDNR review and approval, bid letting, and construction of the site done by summer of 2006. Permitting and construction requirements make an expansion a lengthy process. That assumes the landfill as adequate land and financing immediately available.
- If a landfill design has been approved for construction and has shown no indication of significant contamination of the ground or surface water as a result of its design or operation, it should be allowed to continue operating for the length of the approved design or at least for the next five to ten years. If a landfill is causing contamination, other IDNR rules provide for requiring corrective actions and for early transition to a subtitle D site.
- Some landfills will not have enough waste during the proposed timeline to adequately fill their site to acceptable elevations that will provide enough slope and proper drainage over the entire area. IDNR's response to these landfills that they can use dirt for establishing slope is an unnecessary waste of public funds and a waste of valuable Iowa land.
- If this issue is not being pushed by EPA we question why IDNR staff are pushing their own agenda for transitioning Iowa landfills to all subtitle D sites so quickly. Does IDNR staff have their own preconceived agenda?

In recent meetings, it appears that IDNR has already established this timeline as the definitive response and that the date is only subject to how fast (or slow) the rule making process is completed. It seems that even before the date for submittal of these responses, IDNR staff has already finalized their own agenda and are moving forward with the proposed timeline. This is a disservice to the "stakeholders" you sent the letter to and a poor way for the staff to get support from the landfills this will affect. You have taken the proposed 10-year timeline down to less than two years based upon the staff's personal preferences or some other unknown source. It is obvious in communications from the EPA this change was not because of their expectations.

If the IDNR wants to transition in a congenial manner, the staff needs to rethink their approach as well as their timeline.

Sincerely,



Cindy Turkle

President and Senior Environmental Professional